



W.P.(MD)Nos.16125 of 2018 etc., batch

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.02.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)Nos.16125 to 16138 of 2018

W.P.(MD)No.16125 of 2018

R.Radhakrishnan

... Petitioner

Vs.

- 1.The Regional Provident Fund Commissioner,
Employees Provident Fund Organisation,
No.37, Royapettah High Road,
Chennai 600 014.
- 2.The Assistant Provident Fund Commissioner,
Provident Fund Commissioner Office,
Lady Doak Collegar Road,
Madurai.
- 3.The Managing Director,
Tamil Nadu Civil Supplies Corporation,
No.12, Thambusamy Road,
Kilpauk,
Chennai 600 010.
- 4.The Managing Trustee,
TNCSC Employees Contributory Provident Fund Trust,
Tamil Nadu Civil Supplies Corporation,



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No.12, Thambusamy Road,
Kilpauk,
Chennai 600 010.

5.The Regional Manager,
Tamil Nadu Civil Supplies Corporation,
Madurai Region,
Madurai.

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents 3 to 5 to furnish the quantum of amount payable by the petitioner towards EPF Account to the 1st and 2nd respondents organization in order to get revised pension on actual salary of the petitioner from the 2nd respondent as held by the Hon'ble Apex Court in Civil Appeal No(s) 10013 - 10014 of 2016 dated 04.10.2016, based on the representation of the petitioner dated 23.05.2018.

For Petitioner	:	Mr.D.Srinivasaragavan
For R1 & R2	:	Mr.K.Murali Sankar
		Standing counsel
For R3 to R5	:	Mr.G.Mohan Kumar



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COMMON ORDER

Since the issue involved in these writ petitions is one and the same, they have been taken up together and disposed of by this common order.

2. The case of the petitioners is that the petitioners are the retired employees of the Tamil Nadu Civil Supplies Corporation. They retired from service on different dates. However, they are not getting the Government pension. The petitioners have contributed 12% on their actual wages towards Employees Provident Fund. The Tamil Nadu Civil Supplies Corporation is exempted from paying provident fund to the Employees Provident Fund Organisation under Section 17(1A) of the Act. Further, the petitioners are receiving meagre pension from the first respondent. But, they are entitled for getting higher amount. In order to avail the said benefit, the petitioners have sent the representations to the respondents on 23.05.2018, 07.05.2018, 13.05.2018, 10.05.2018, 12.05.2018, 23.05.2018, 07.05.2018, 15.05.2018, 12.05.2018, 08.05.2018, 14.05.2018, 12.05.2018, 16.05.2018



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and 10.05.2018 respectively to furnish the details of payment of contribution made by the petitioners as well as the Tamil Nadu Civil Supplies Corporation. However, the said representations were not considered. Hence, the present writ petitions have been filed with the aforesaid prayer.

3. The learned counsel appearing for the petitioners would submit that this Court may issue a direction to the respondents to consider the petitioners' representations and pass appropriate orders within a reasonable time as fixed by this Court.

4. Heard the learned counsel appearing for the petitioners, the learned Standing counsel appearing for the respondents 1 and 2 and the learned counsel appearing for the respondents 3 to 5.

5. Considering the limited request made by the learned counsel for the petitioners, this Court, without going into the merits of the matter, directs the respondents to consider the petitioners' representations dated



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23.05.2018, 07.05.2018, 13.05.2018, 10.05.2018, 12.05.2018, 23.05.2018, 07.05.2018, 15.05.2018, 12.05.2018, 08.05.2018, 14.05.2018, 12.05.2018, 16.05.2018 and 10.05.2018 respectively and pass appropriate orders, on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the above direction, these Writ Petitions are disposed of.

No costs.

24.02.2023

akv

To

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2.The Assistant Provident Fund Commissioner,
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