



WP(MD)No.13497 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 16.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP(MD)No.13497 of 2017

and

WMP(MD)Nos.10597 of 2017 & 862 of 2021

S.Thangeswaran

... Petitioner

v.

1.The Central Provident Fund Commissioner,
EPF Organization,
Hudco Vishala Building,
14, Behaji Came Place,
New Delhi – 110 066.

2.The Regional Provident Fund Commissioner,
EPF Organization,
No.37, Royapettah High Road,
Royapettah,
Chennai – 600 014.

3.The Regional Provident Fund Commissioner,
EPF Organization,
Lady Doak College Road,
Madurai – 625 002.

... Respondents



WP(MD)No.13497 of 2017

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorarified Mandamus calling for the records relating to the impugned order passed by the second respondent in No.TN/RO-CHN/12173/Gr.6/2016, dated 24.08.2016 and quash the same as illegal and consequently directing the respondents to rectify the calculations made in the calculation of the pensionable period of service of the petitioner and the pensionable salary and the present quantum of the monthly pension amount and to consequently revise the pensionable period of service and pay the petitioner the enhanced monthly pension amount of Rs.12,685/- with arrears according to such rectified and revised calculation of the period of service, on the basis of similar order passed by this Court in Sathasivam Pillai and Others v. Regional PF Commissioner, Employees Provident Fund Organization and Another in 2003 (4) LLN 131 and Writ Appeal No.3061 of 2002 on the file of this Court dated 07.01.2008.

For Petitioner : Mr.R.Udyakumar

For Respondents : No appearance for R.1

Mr.A.John Xavier
for R.2, R.3



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WP(MD)No.13497 of 2017

B.PUGALENDHI, J.

gk

4. In view of the above submissions and the endorsement so made, this Court, without expressing anything on the merits of the matter, directs the petitioner to submit a fresh representation to the respondents within a period of two weeks from the date of receipt of a copy of this order. On receipt of such representation, the respondents shall consider the same and pass appropriate orders, on merits and in accordance with law, in the light of the aforesaid decision of the Hon'ble Supreme Court in *Sunil Kumar's* case (supra), within a further period of four weeks thereafter.

The writ petition stands allowed in the above terms. No costs. Consequently, connected miscellaneous petitions are closed.

Index : Yes / No
NCC : Yes / No
gk

16.06.2023

WP(MD)No.13497 of 2017