



WEB COPY



W.P.No.1223 of 2024

[IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.01.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.1223 of 2024
and
W.M.P.Nos.1265 & 1266 of 2024

T.Jeevanandam

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Petitioner

Vs

1. The Regional PF Commissioner-I,
Regional PF Commissioner Office,
Dr.Balasundaram Road,
Coimbatore – 641 018.

2. The Regional Pf Commissioner-II (Adm-I/Vig)
Regional PF Commissioner Office,
Dr.Balasundaram Road,
Coimbatore – 641 018.

3. The Assistant PF Commissioner (Adm),
Regional PF Commissioner Office,
Dr.Balasundaram Road,
Coimbatore – 641 018.

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Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Mandamus, directing the first respondent to recover a sum of Rs.1,000/- per month from the petitioner's pension from the recovery amount of Rs.34,520/- for using the quarters, by considering the petitioner's representation dated 05.01.2024.

For Petitioner : Mr. S.Saravanan

ORDER



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This Writ Petition has been filed for a direction directing the first respondent to recover a sum of Rs.1,000/- per month from the petitioner's pension for a total amount of Rs.34,520/- to be recovered for using the quarters.

2. Heard the learned counsel appearing for the petitioner and perused the materials available on record.

3. The petitioner had worked as Section Supervisor under the respondent and retired from service on 30.04.2015. During his service, he was allotted quarters bearing Door No.62 in EPF Staff Quarters. Due to his family issues, he filed a petition for divorce in HMOP No.1213 of 2015 and he made request to retain his quarters and the same was permitted till 31.10.2015. However, even before completion of the said period, he vacated the quarters in the month of August 2015 itself and intimated the same to the respondent. His gratuity amount of Rs.25,000/- was already recovered by the first respondent for using the quarters. Though the petitioner had duly intimated about handing over of the vacant possession of the quarters, an order of eviction was passed.



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4. Further, the first respondent issued a letter to the Manager, State Bank of India, ESI/EPF Cell, Centralized Pension Processing Centre, whereby a sum of Rs.34,520/- was directed to recover in three installments in May, June and July 2016 from his pension. Aggrieved by the said order, the petitioner filed a writ petition before this Court in W.P.No.18475 of 2016 and this Court, by an order dated 26.05.2016, granted interim stay and on 28.06.2018, the writ petition was closed with liberty to approach Central Administrative Tribunal to redress the grievances. The petitioner filed an application before the Central Administrative Tribunal and the same was dismissed. Aggrieved by the same, the petitioner filed a writ petition before this Court in W.P.No.18088 of 2023 and the same was also dismissed.

5. Subsequently, he had submitted a representation on 13.12.2023 to recover a sum of Rs.1,000/- per month instead of three installments. The petitioner had dragged on the proceedings from 2016 onwards by filing writ petition and applications before the Central Administrative Tribunal. Though all the petitions were dismissed, the petitioner submitted a representation to recover a sum of Rs.1,000/- per



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month from his pension, already eight years had lapsed and as such, the request made by the petitioner cannot be considered and the writ petition is devoid of merits and it is liable to be dismissed.

6. Accordingly, this Writ Petition stands dismissed.

Consequently, connected miscellaneous petitions are closed. No costs.

22.01.2024

Internet: Yes

Index : Yes/No

Speaking/Non Speaking order

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To

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