



WEB COPY



W.P.No.12649 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.06.2024

CORAM :

THE HONOURABLE **DR. JUSTICE D.NAGARJUN**

W.P.No.12649 of 2024

S.S.Giridharan

...Petitioner

Vs.

1. The Provident Fund Commissioner,
O/o Regional Office, Chennai South,
37,, Royapettah High Road,
Chennai – 600 014.

2. The Managing Director,
M/s/Sundaram fasteners Ltd.,
M.T.H.Road, Padi, Chennai – 600 050.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the first respondent to consider the petitioner representation dated 05.09.2022 given by the petitioner.

For petitioner	:	Mr.S.Narashimhan
For R5	:	Mr.M.Palanimuthu
		Standing Counsel for EPFO



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ORDER

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This writ petition is filed seeking for a direction to consider the petitioner's representation dated 05.09.2022.

2. The petitioner has been working in the second respondent company for about 23 years from 1983 to 2006. Suddenly, the petitioner was forced to submit his resignation on the assurance that he would be re employed in the second respondent company. However, the petitioner was not re employment and his pension was also not settled. The petitioner has made representation to the first respondent on 05.09.2022 to conduct the enquiry and direct the PF Society managed by the second respondent for grant of EPF pension but the same was not considered. Though, the petitioner made representations before the first respondent as well as the Central Provident Fund Commissioner, the same was not considered and hence, made an application through Right to Information Act (RTI). On 01.12.2022, Assistant Provident Fund Commissioner (Accounts) addressed a letter to the second respondent stating that petitioner is an ex-employee and after the termination of the employee, the details in respect of F/10D were not



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forwarded to the Assistant Provident Fund Commissioner's (Accounts) office and hence, they could not settle the petitioner's EPS benefits. Further, as per the letter stated *supra* since the petitioner has completed 23 years of service, he is entitled for monthly pension. The Assistant Provident Fund Commissioner (Accounts) has also issued reminder to the first respondent with regard to the petitioners details, even then no action was taken. Hence, the petitioner has filed this writ petition to direct the respondents to consider his representation dated 05.09.2022 so that his pension will be settled.

3. Since the petitioner is seeking writ of mandamus to dispose of his representation dated 05.09.2022, no notice is required to be given to the respondents.

4. Accordingly, this writ petition is disposed of directing the first respondent to consider the petitioner's representation dated 05.09.2022 and

Dr.D.NAGARJUN.J.

Vca



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dispose of the same as quickly as possible not later than four weeks from the date of receipt of a copy of this order. No costs.

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03.06.2024

vca

Index : Yes/No
Internet : Yes/No
Citation : Yes/No

To

1. The Provident Fund Commissioner,
O/o Regional Office, Chennai South,
37, Royapettah High Road,
Chennai – 600 014.
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