



W.P.No.26327 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :11.09.2024

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.No.26327 of 2024

P.S.Pandurangan

... Petitioner

Vs.

- 1.The Secretary to Government,
Cooperative and Consumer
Protection Department,
Fort St.George, Chennai 600 009.
- 2.The Registrar of Cooperative Societies,
Kilpauk, Chennai 600 010.
- 3.The Additional Registrar of Cooperative Societies,
Chennai Region,
Chennai.
- 4.The Deputy Registrar of Cooperative Societies,
(Not Credit), Kuralagam,
Chennai 600 108.
- 5.Employees Provident Fund Organisation,
Royapettah, Chennai 600 014.
- 6.Employees Provident Fund Organisation,
Regional Office,
Ambattur,
Chennai - 600 053.

... Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to sanction Employees Provident Fund Pension amount to the petitioner by considering the petitioner's representation dated 09.08.2024.

For Petitioner : Mr.K.Kannan

For Respondents : Mr.P.Ganesan, GA for R1 to R4
Mr.Arun Dhanapalan, for R5 & R6

ORDER

This Writ Petition has been filed to issue a Writ of Mandamus, to direct the respondents to sanction Employees Provident Fund Pension amount to the petitioner by considering the petitioner's representation dated 09.08.2024.

2. Heard Mr.K.Kannan, learned counsel for the petitioner, Mr.P.Ganesan, learned Government Advocate for the respondents 1 to 4 and Mr.Arun Dhanapalan, learned counsel for R5 & R6 and perused the materials available on record.

3. The petitioner is said to be working as a Salesman in ICF Employees Consumer Cooperative Stores during the period from 21.01.1987 to 23.08.2007. On 24.08.2007, he was dismissed from



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service. Thereafter, he was not allowed to join duty. When the petitioner made a claim for return of the Employee Provident Fund contributions, the same was rejected stating the following grounds:

- (A) Corrections in Form not attested
- (B) Employer has not signed the endorsement Form
- (C) Transfer-in not received
- (D) Date of joining not furnished

4. Despite the petitioner gave several reminders to the fourth respondent, the fourth respondent did not furnish the above particulars. In view of non-furnishing of the particulars, the entire service premium amount payable to the Employee Provident Fund was deducted from the salary of the petitioner and he has not been paid with the EPF pension. The representation given by the petitioner in this regard to the second and fifth respondents did not evoke any action. Therefore, the petitioner is before this Court.

5. Unless the particulars required to release the contribution made in the account of the petitioner under EPF are furnished to the



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appropriate authorities, the petitioner may not be in a position to recover the same. Since the representation of the petitioner has not evoked any response from the second and fifth respondents and no action has been initiated so far, I feel an appropriate direction should be given to the respondents 2 and 5.

6. In view of the above observations, this Writ Petition is allowed and the respondents 2 and 5 are directed to consider the representation of the petitioner dated 09.08.2024 and pass appropriate orders within a period of six weeks from the date of receipt of a copy of this order. No costs.

Index : Yes /No
Speaking / Non-speaking
Neutral Citation : Yes / No
gsk

11.09.2024



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WEB COPY

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R.N.MANJULA, J.

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