



W.P.(MD) No.10896,10901 and 10902 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 22.03.2024

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THE HON'BLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.(MD)Nos.10896,10901 and 10902 of 2020

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|------------------|---|
| 1.T.Chandraselvi | ... Petitioner in W.P.(MD).No.10896 of 2020 |
| 2. T.Arunraj | ... Petitioner in W.P.(MD).No.10901 of 2020 |
| 3.T.Anandaraj | ... Petitioner in W.P.(MD).No.10902 of 2020 |

Vs.

1. The Addl Central Provident Fund Commissioner,
Employees Provident Fund Organization,
Zonal Office,
Dr.Balasundaram Road, Coimbatore - 641 018.
- 2 The Regional Provident Fund
Commissioner-I, Employees Provident Fund
Organization, Regional Office, Bhavishya
Nidhi Bhavan, NGO B ,Colony,
Tirunelveli - 627 007.
- 3 The Regional Provident Fund Commissioner-II(Adm),
Employees Provident Fund Organization, Regional Office,
Bhavishya Nidhi Bhavan, NGO B ,Colony,
Tirunelveli - 627 007.



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4 The Managing Director
Madura Coats Private Ltd.,
83-88 Beach Road,
Thoothukudi-628001.

5 The Branch Manager
Indian Overseas Bank,
Mattakadai Branch, No.17D,
Rama Nadar Vilai,
Thoothukudi - 628 001.

... Respondents in all the cases

Common Prayer: Writ Petitions filed under Article 226 of the Constitution of India praying to issue a Writ of mandamus directing the respondents to order of release the EPF pension to the petitioners in pursuant to the petitioners representation dated 13-12-2019 within stipulated time

For Petitioners : Mr.Muthamizh Selvakumar
in all cases

For Respondents : Mr.M.Mahaboob Athiff
in all cases

COMMON ORDER

In all these three Writ Petitions, the petitioners sought for a writ of Mandamus to direct the respondents to release the EPF pension to the petitioners by considering their representation dated 13.12.2019 .

2. Today, when the matter is taken up for consideration, it is



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brought to the notice of the Court by the learned counsel appearing for the respondents 1 to 3 that the claim of the petitioners made through representation dated 13.12.2019 was considered by the 2nd respondent and an order was passed in the proceedings No.CBE/TNY/WP.(MD).10896,10901 and 10902 of 2020/Legal Sec/2024 dated 21.03.2024. A copy of the said proceedings is also placed before this Court duly serving on the learned counsel for the petitioners. In the said order it is stated as under:

“ This is with reference to your representation dated 13.12.2019, seeking to release EPF pension for you. In this regard, your request was duly considered and we regret to inform that the same cannot be acceded to in view of the fact that you were suppressing the fact that, the establishment M/s Madura Coats (P) Ltd., in which your late husband had been employed, had been exempted from the Employees deposit linked insurance scheme, 1976 under Sec.17(2) A of the Employees Provident Fund and Miscellaneous Provisions Act, 1952, had unlawfully availed EDLI benefits quantified at Rs.5,50,782/-. You have also availed the benefits from the insurer of the employer, LIC Insurance to the tune of Rs.6,02,000/-. Thus, had got dual benefits and had by misrepresentation through the employer availed dual



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benefits which you have admitted in your reply to the show cause notice. In such view of the matter, this office had passed an order on 20.08.2019 to stop the pension hitherto paid to you till further orders. Restoration of pension would be revisited, provided you remit the EDLI benefits availed from this office due to misrepresentation.”

3. Thus the relief sought in these writ petitions has become infructuous in view of the order dated 21.03.2024. In the light of the above, if the petitioners are aggrieved by the said proceedings dated 21.03.2024, it is for the petitioners to challenge the same. Accordingly, Writ Petitions are closed, leaving it open to the petitioners to question the said proceedings dated 21.03.2024 if they are so aggrieved and so advised. No costs.

22.03.2024

NCC : Yes/No
Index : Yes/No
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MUMMINENI SUDHEER KUMAR, J.

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