



W.P.(MD)Nos.10170 to 10173 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.04.2024

CORAM

THE HONOURABLE MS JUSTICE R.N.MANJULA

W.P.(MD)Nos.10170 to 10173 of 2024

A.Palanivelu	... Petitioner in W.P.(MD)No.10170 of 2024
S.Anbalagan	... Petitioner in W.P.(MD)No.10171 of 2024
A.Muthukumar	... Petitioner in W.P.(MD)No.10172 of 2024
C.Rajendran	... Petitioner in W.P.(MD)No.10173 of 2024

Vs.

1.The Assistant Commissioner

Employees Provident Fund Organization Regional Office,
P.B.No.588, Sree Complex,
D Block, No.18, Madurai Road,
Tiruchirappalli.



W.P.(MD)Nos.10170 to 10173 of 2024

2.The Principal

MNSK College of Engineering,
Dhakshinpuram,
Vallathirakkottai (Post),
Pudukkottai District.

... Respondents

COMMON PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the 1st respondent to consider and pass appropriate orders on the petitioners' representations, dated 27.02.2024 with regard to discharge of their EPF payment of Rs.1,71,936/-, Rs.62,134/-, Rs.60,224/- and Rs.1,59,600/-, respectively, with interest of 12% per annum in reference with the 1st respondent's communication in ENF B2/RO-TRY/44418/2023 dated 14.07.2023 within the period stipulated by this Court.

In all Writ Petitions

For Petitioners : Mr.S.Selvakumar

For Respondents : Mr.N.Dilipkumar,- for R1
Standing Counsel



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COMMON ORDER

By consent of both the parties, these Writ Petitions are taken up for final disposal at the admission stage itself.

2. Heard Mr.S.Selvakumar, learned counsel appearing for the petitioners and Mr.N.Dilipkumar, learned Standing Counsel appearing for the first respondent.

3. In view of the order now passed by this Court, notice to the second respondent is dispensed with.

4. The petitioners herein had given representations to the respondents on 27.02.2024, seeking to discharge their EPF contribution benefits. Since the said representations were not considered by the first respondent so far, the writ petitions have been filed.



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5. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon the respondents to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty. The failure on the part of the authority had prompted the petitioner to file these petitions for seeking relief through issuance of Writ of Mandamus. As the petitioners have made out a case for invoking the extraordinary powers of this Court under Article 226 of the Constitution of India, the respondents are required to be given with direction to consider the representation of the petitioners' within a specified time frame.

6. In the light of the above observations, these Writ Petitions are **disposed of** with a direction to the first respondent herein to consider the petitioners' representations, dated 27.02.2024, respectively, and pass appropriate orders in accordance with law,



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within a period of six (6) weeks from the date of receipt of a copy of this order. It is made clear that this Court has not gone into the merits of the claim of the petitioners and it is open to the first respondent to consider the same on its own merits. No costs.

25.04.2024

NCC :yes/no

Index :yes/no

Internet:yes/no

RM

To

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R.N.MANJULA, J.

RM

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