



W.P(MD)Nos.28941 to 28945 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.12.2024

CORAM :

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.P(MD)Nos.28941 to 28945 of 2024

S.Puvaneswaran	... Petitioner in W.P.(MD)No.28941 of 2024
S.Arumugam	... Petitioner in W.P.(MD)No.28942 of 2024
M.Balaji	... Petitioner in W.P.(MD)No.28943 of 2024
K.Krishnamoorthi	... Petitioner in W.P.(MD)No.28944 of 2024
P.Rajendran	... Petitioner in W.P.(MD)No.28945 of 2024

Vs.

- 1.The Commissioner of Dairy Development,
Aavin Illam, Madhavaram Milk Colony,
Chennai-600 051.
- 2.The Managing Director,
The Tamil Nadu Co-operative Milk Producers
Federation Ltd.,
Nandanam, Chennai-600 035.
- 3.The General Manager,
Pudukkottai District Co-operative Milk
Producers Union Ltd.,
Aavin, Kalyanaramapuram, Thirukokarnam Post,
Pudukkottai-622002.
- 4.The Regional Provident Fund Commissioner,
Employees Provident Fund Organization,
P.Bs.No.588, Sree Complex, D Block,
No.18, Madurai Road,
Tiruchirappalli-620008.

... Respondents
in all Writ Petitions



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COMMON PRAYER: Writ Petitions filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 3rd respondent to provide the petitioner's wage particulars and proof of remittance of EPF Contribution on the petitioners' salary exceeding the statutory wage ceiling and proof of remittance of other charges along with joint option particulars to the 4th respondent, so as to enable the petitioners to get pension on the basis of actual salary drawn by the petitioners in terms of para 11(3) and 11(4) of the Employees' Pension Scheme, 1995 from the date of the petitioners' joining the pension scheme by considering the petitioners' representations dated 20.03.2024 and for other reliefs.

For Petitioner : Mr.J.Lawrance
For R1 : Mr.P.Thambidurai,
Government Advocate
For R2 & R3 : Mr.K.Prabhu
(in all Writ Petitions)

COMMON ORDER

According to the petitioners, they were the retired employees of the 3rd respondent and they are the members of the 4th respondent's Employees' Provident Fund Scheme. Therefore, they made representations dated 20.03.2024 to the 3rd respondent to provide their wage particulars and proof of remittance of EPF Contribution on their salary exceeding the statutory wage ceiling and proof of remittance of other charges along with joint option



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particulars to the 4th respondent, so as to enable them to get pension on the basis of actual salary drawn by them in terms of para 11(3) and 11(4) of the Employees' Pension Scheme, 1995 from the date of their joining the pension scheme. Since the same had not been considered so far, they have filed these Writ Petitions.

2.The learned counsel appearing for the 3rd respondent would submit that the authorities concerned are not in a position to upload the particulars sought for by the petitioners, since the portal has been closed. However, the representations of the petitioners would be disposed of on merits.

3.In reply, the learned counsel for the petitioners would submit that if the said particulars are submitted to the petitioners, they would submit the same before the concerned EPF authorities.

4.Considering the submissions made on either side, this Court directs the 3rd respondent to dispose the representations of the petitioners dated 20.03.2024 on its own merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. In the event if the 3rd respondent is unable to produce the particulars to the 4th respondent through



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portal, the 3rd respondent is directed to furnish all the particulars as sought for in the representations directly to the petitioners. With regard to the delay in submitting the particulars, it is for the petitioners to convince the concerned EPF authorities.

5. With the above directions, these Writ Petitions are disposed of. No costs.

16.12.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

Yuva

To

1. The Commissioner of Dairy Development,
Aavin Illam, Madhavaram Milk Colony,
Chennai-600 051.
2. The General Manager,
Pudukkottai District Co-operative Milk
Producers Union Ltd.,
Aavin, Kalyanaramapuram, Thirukokarnam Post,
Pudukkottai-622002.



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KRISHNAN RAMASAMY, J

Yuva

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