



W.P.Nos.4366 & 4371 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.04.2025

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.Nos.4366 & 4371 of 2021

W.P.No.4366 of 2021

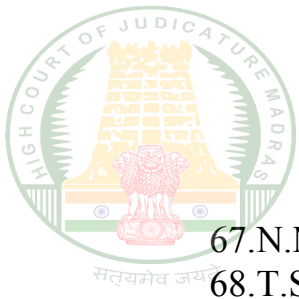
- 1.S.Thensami
- 2.A.V.Sugumaran
- 3.K.Ganesan
- 4.M.Sundaram
- 5.K.Ganesan
- 6.D.Baskaran
- 7.S.Peter
- 8.G.Krishnamoorthy
- 9.O.Ponnuram
- 10.I.Victor Daniel
- 11.J.Ravichandran
- 12.R.Muruga Perumal
- 13.R.Mahendran
- 14.P.Aswath Reddy
- 15.N.Srinivasaiah
- 16.M.Selvaraju
- 17.P. Govindan
- 18.T.Pazhaniyandi
- 19.D.Govindasami
- 20.P.S.Chan Basha
- 21.K.P.Mahendravarman
- 22.R.Selvamony
- 23.G.Angappan
- 24.V.Gunasekaran
- 25.N.Chandrasekharan
- 26.R.Subramanian
- 27.M.Vivekanandan



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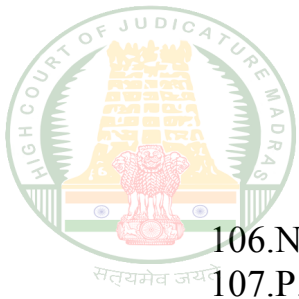
- 28.Nagasubramanian .J
- 29.I.John Rose
- 30.B.Jayaveerabagu
- 31.Kummara Ponnuswamy
- 32.N.Subramanireddy
- 33.D.Srinivasan
- 34.R.V.Kannan
- 35.L.Murugan
- 36.R.Dakshina Moorthy
- 37.P.Ramakrishnan
- 38.S.Ravi
- 39.R.Krishnan
- 40.K.Baskaran
- 41.A.Ravichandran
- 42.S.Babu
- 43.V.Nagarajan
- 44.V.Samuel
- 45.S.Sri Raman
- 46.Chinnasamy.A
- 47.P.Dhanapal
- 48.G.Anandan
- 49.P.Perumal
- 50.K.Sekar
- 51.Balaguru.P
- 52.A.Paramasivam
- 53.S.Soundararajan
- 54.G.Ramachandran
- 55.S.Chandra Babu
- 56.K.Selvaraj
- 57.P.Narayanasamy
- 58.A.Tricolore Henri
- 59.S.Rajendran
- 60.P.Prasannan
- 61.N.Ramesh
- 62.K.Manoharan
- 63.R.Murugesan
- 64.S.Murugadass
- 65.C.Vijayakumar
- 66.S.Lakshmanan



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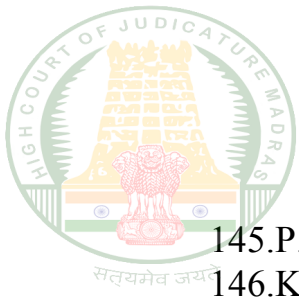
- 67.N.Murukesh
- 68.T.Subramanian
- 69.G.Shanmugam
- 70.R.Mariannan
- 71.G.Joseph
- 72.T.Kumaresan
- 73.K.R.R.Balaji
- 74.V.Chakrapani
- 75.S.Jayasegaran
- 76.P.Manickam
- 77.S.Murugesan
- 78.T.Chandra Sekaran
- 79.M.Natarajan
- 80.N.P.Balu
- 81.C.Dakshinamoorthi
- 82.A.Arpuhanathan
- 83.R.Shankararaj
- 84.A.Rajasekar
- 85.Srinivasan.R
- 86.R.Selvam
- 87.S.Boopathy
- 88.A.Mahendradass
- 89.Ekambaram K.
- 90.M.Mohan
- 91.K.Mani
- 92.Sundarapandian Vijayan
- 93.R.Harikrishnan
- 94.M.Askarali
- 95.R.Sudharson
- 96.N.Gurusamy
- 97.P.Mohanarangan
- 98.B.Gunasekaran
- 99.C.Noelraj
- 100.L.Periasamy
- 101.S.Ganesan
- 102.A.Sivaprasad
- 103.N.Mahmood Ahmed
- 104.A.Sebastian
- 105.D.Narayanamoorthy



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- 106.N.Swornappan
- 107.P.Arunachalam
- 108.C.S.Krishnamoorthi
- 109.P.Subramanian
- 110.M.Raman
- 111.Anban T.
- 112.M.Elango
- 113.N.Gobi
- 114.M.Gurunathan
- 115.Rolandfernando.P
- 116.K.Subburaj
- 117.L.Hari
- 118.V.N.Ramalingam
- 119.R.Viswanath
- 120.K.Sivaraman
- 121.R.Balaraman
- 122.S.Ravi
- 123.T.B.Udayanan
- 124.S.Thatchanamoothy
- 125.S.Duraisamy
- 126.P.Prasadraju
- 127.M.K.Gnanasekaran
- 128.M.Sreenivasan
- 129.M.Emmamuel
- 130.R.Thangaraju
- 131.R.Janarthanan
- 132.M.Ganapathy
- 133.R.Soundararajan
- 134.N.Somasundaram
- 135.Anbalaganchelliah
- 136.K.Veerapathiran
- 137.V.Manavalan
- 138.K.Pandurangan
- 139.P.Muthuvijayam
- 140.G.Muruganantham
- 141.M.Ganesan
- 142.S.Sundar
- 143.K.Kathavarayan
- 144.A.Thanudhasan



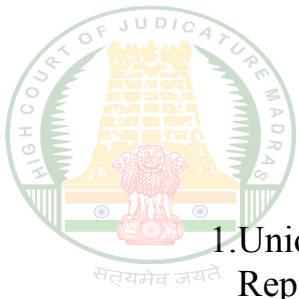
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- 145.P.Selvam
- 146.K.Loganathan
- 147.C.Selvaraj
- 148.V.Jayapal
- 149.C.Mani
- 150.Natarajan.S
- 151.Alexis Louis Rosary.I
- 152.B.Ganeshan
- 153.V.Pandiaraj
- 154.K.Ayyavoo
- 155.K.Shfiullah
- 156.S.Sridharan
- 157.P.Sekaran
- 158.M.Arokia Samy
- 159.A.Gajendran
- 160.K.Arasakumaran
- 161.V.Narayanan
- 162.K.M.Thangaraju
- 163.S.Murugesan
- 164.D.Kulasekaran
- 165.A.Ahamadbasha
- 166.Subramanian.K
- 167.V.Narayanan
- 168.V.Rajendran
- 169.Gnanakirubagaran.S
- 170.Muthurathinam.K
- 171.R.Vadivelu
- 172.D.Muthu
- 173.R.Jayaraj
- 174.C.Antonysamy
- 175.P.R.Ravi
- 176.S.Kalaiyarasu
- 177.K.Kuppusamy
- 178.P.George Victor
- 179.P.Raman

... Petitioners

Vs.



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1. Union of India,
Rep.by its Secretary,
Labour and Employment Department, New Delhi – 1.

2. The Chairman,
Central Board of Trustee for Employees
Provident Fund Organisation,
Shram Sakthi Bhavan, New Delhi – 1.

3. Central Provident Fund Commissioner-I (Pension),
Bhaisya Nidhi Bhavan,
14, Bhikaji Gama Place, New Delhi – 110 066.

4. The Regional Provident Fund Commissioner,
Employees Provident Fund Organization,
46/383, Salam Steel Plant Road,
Dalavaipatti Village,
Salem – 636 302.

5. The Assistant Provident Fund Commissioner (Pension),
Office of The Regional Provident Fund Commissioner,
Employees Provident Fund Organization,
46/383, Salam Steel Plant Road,
Dalavaipatti Village,
Salem – 636 302.

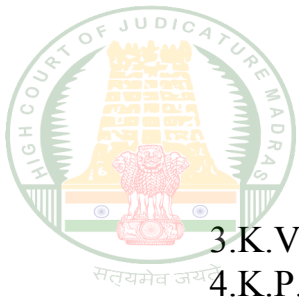
6. The Management of Ashok Leyland Ltd.- Unit-I,
No.175 SIPCOT-I, zuzuwadi,
Hosur – 635 126.

7. The Management of Ashok Leyland Ltd.- Unit-II,
77 Electronic Complex, Perandapalli,
NH44, Spicot Phase-II, Industrial Complex,
Hosur – 635 109.

... Respondents

W.P.No.4371 of 2021

1. S.Chandrappa
2. V.Rajasekaran



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3.K.V.Ramakrishnan

4.K.P.Narayanakutty

5.K.Palani

6.N.Venkatakrishnan

7.R.Ravi

8.K.S.Sankarasubramanian

9.S.Eswararao

10.S.A.Doraiswamy

11.R.G.Umasekar

12.Madansingh

13.Subramanian

... Petitioners

Vs.

1.Union of India,

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Labour and Employment Department, New Delhi – 1.

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Central Board of Trustee for Employees

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14, Bhikaji Gama Place, New Delhi – 110 066.

4.The Regional Provident Fund Commissioner,

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Dalavaipatti Village,

Salem – 636 302.

5.The Assistant Provident Fund Commissioner (Pension),

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Employees Provident Fund Organization,

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Dalavaipatti Village,

Salem – 636 302.

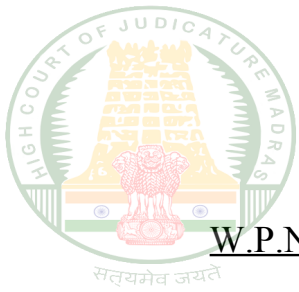


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6. The Management of Hindustan Unilever Ltd.,
Plot No.50 and 51, SIPCOT Industries Complex,
Hosur – 635 126. ... Respondents

Prayer in W.P.No.4366 of 2021 : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of declaration, declaring that the action of the respondents 4-5 refusing to revise the petitioners monthly pension with effect from the date of their superannuation / retirement based on 12 months average and informing as that further action would be taken on their request and applications only if any order and direction is issued either by the EPFO, Head Officer, New Delhi, or by this Honble Court or by the Hon'ble Supreme Court, as illegal and unconstitutional in so far as the petitioners claims and consequently direct the respondents 1 to 5 to sanction and pay their monthly pension from the date of the petitioners retirement/superannuation, based on 12 months average salary and without reference to 60 months average and pro-rata calculation with arrears, together with interest.

Prayer in W.P.No.4371 of 2021 : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of declaration, declaring that the action of the respondents 4-5 refusing to revise the petitioners monthly pension with effect from the date of their superannuation / retirement based on 12 months average and informing as that further action would be taken on their request and applications only if any order and direction is issued either by the EPFO, Head Officer, New Delhi, or by this Honble Court or by the Hon'ble Supreme Court, by two common orders dated 23.10.2020 and 23.11.2020 in order No.TN/SRO/SLM/PENSION CALC/2020-21 and by issuing individual orders, as illegal and unconstitutional, in so far as the petitioners claims and consequently direct the Respondents 1-5 to sanction and pay their monthly pension from the date of the petitioners retirement/ Superannuation, based on 12 months average salary and without reference to 60 months average and pro-rata calculation with arrears, together with interest.



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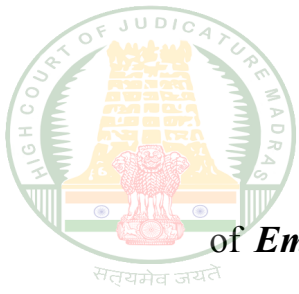
For Petitioners : Mr.V.Ajoy Khose
For Respondents : Mr.V.T.Balaji
CGSPC [R1]
Mr.K.Ramu [R2 to R5]
Mr.Sanjay Mohan
for M/s.Ramasubramanian
& Associates [R6 & R7]

W.P.No.4371 of 2021

For Petitioners : Mr.V.Ajoy Khose
For Respondents : Mr.V.T.Balaji
CGSPC [R1]
Mr.R.Vishnu [R2 to R5]
Mr.Sanjay Mohan
for M/s.Ramasubramanian
& Associates [R6]

COMMON ORDER

Though these Writ Petitions have been filed by the petitioners seeking for issuance of a Writ of declaration, to declare that the action of the respondents 4-5 refusing to revise the petitioners monthly pension with effect from the date of their superannuation / retirement, however when these matters are taken up for hearing today, learned counsel appearing for the petitioners submitted that the issue arises in these writ petitions is covered by the decision of the Hon'ble Apex Court in the case



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of *Employees Provident Fund Organisation & Anr. Vs. Sunil Kumar*

WEB COPY **B. & Ors.** reported in *(2023) 12 SCC 701*.

2. In view of above order passed by the Hon'ble Apex Court, these Writ Petitions are disposed of, granting liberty to the petitioners to make application in the manner known to law, if any benefit is available to them in terms of the above order passed by the Hon'ble Apex Court. If any application is filed by the petitioners, the respondents may consider the same on merits and in accordance with law and pass appropriate orders as expeditiously as possible. No costs.

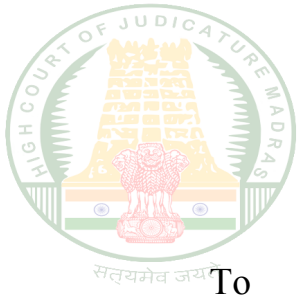
22.04.2025

Index : Yes / No

Speaking order / Non-speaking order

Neutral Citation Case : Yes / No

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Labour and Employment Department, New Delhi – 1.
- 2.The Chairman,
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Salem – 636 302.



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M.DHANDAPANI, J.

sp

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22.04.2025