



WEB COPY

WP No. 31772 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-12-2025

CORAM

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

WP No. 31772 of 2025

Pushpa V

Petitioner

Vs

1. The Regional Provident Fund Commissioner,
Employees Provident Fund Organisation,
Royapettah, Chennai-600 014.

2.The Deputy Commissioner of Labour,
(Conciliation-II), WAVOO Mansion,
Rajaji Salai, Chennai-600 001.

3.The Management of C P Aquaculture(I),
Private Ltd,
No.104, G.N.T.Road, Nallur & Vijayanallur Village,
Sholavaram Post, Redhills,
Chennai-600 067.

4.The Head of Human Resource,
C P Aquaculture (I) Private Limited,
No.104, G.N.T.Road, Nallur & Vijayanallur Village,
Sholavaram Post, Redhills,
Chennai-600 067.

Respondents

PRAYER: The Writ petition is filed under Article 226 of the Constitution of India for a writ of mandamus, to direct the first respondent and second respondent to instruct the third respondent to reinstate the petitioner into the service and direct the third respondent to restore the original date of birth as



20.07.1969 in all service records and direct the third respondent to pay full back wages, continuity of service and all attendant benefits from 01.08.2025 till the date of reinstatement.

For Petitioner: Mr.M.G.B.Jeyakumar

For Respondents: Mr.P.K.Panneerselvam for R1

Mrs.M.Jayanthi
Additional Government Pleader for R2

Mr.R.Jayaprakash for R3

ORDER

This writ petition is filed for a mandamus directing the first and second respondents to instruct the third respondent to reinstate the petitioner into service, restore the original date of birth as 20.07.1969 in all service records, and direct the third respondent to pay full back wages, continuity of service, and all attendant benefits from 01.08.2025.

2. The grievance of the petitioner is that her date of birth is actually 20.07.1969 and she has been prematurely sent out of service. Admittedly, the third respondent is a private management. Even if the petitioner was prematurely sent out of service, it is not within the jurisdiction of the Provident Fund authorities or the Deputy Commissioner of Labour to give such a direction to the private management. If the petitioner is aggrieved and if she is a worker,



she has to approach the appropriate forum. If she is an executive staff, she has to approach the appropriate Civil Court.

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3. Leaving that liberty open and holding that the writ petition as framed is not maintainable, the writ petition stands *disposed of*. It is made clear that this Court has not pronounced on any issue whatsoever. All issues, legal and factual, are left open for the parties to raise before the appropriate forum. No costs.

03-12-2025

ns1

Neutral Citation: Yes/No

To

1. The Regional Provident Fund Commissioner,
Employees Provident Fund Organisation,
Royapettah, Chennai-600 014.

2. The Deputy Commissioner of Labour,
(Conciliation-II), WAVOO Mansion,
Rajaji Salai, Chennai-600 001.

3. The Management of C P Aquaculture(I),
Private Ltd, No.104, G.N.T.Road, Nallur & Vijayanallur
Village, Sholavaram Post, Redhills,
Chennai-600 067.

4. The Head of Human Resource,
C P Aquaculture (I) Private Limited,
No.104, G.N.T.Road, Nallur & Vijayanallur Village,
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D.BHARATHA CHAKRAVARTHY J.

ns1

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D.BHARATHA CHAKRAVARTHY.J.,

Today, this matter has been listed under the caption ‘for being mentioned’.

2. This Court vide order dated 03.12.2025, disposed of the writ petition. It is stated that the name of the Counsel for the second respondent has been erroneously mentioned as “Mrs.M.Jayanthi, Additional Government Pleader for R2” instead of “Mr.Ayyathurai, Government Advocate for R2”. Further, it is also stated that Mr.R.Jayaprakash, learned Counsel, has been shown as having entered appearance for R3 alone, whereas, the learned Counsel has entered appearance for both R3 and R4.

3. Considering the above facts, in the order dated 03.12.2025, in the appearance portion, the name of the learned Counsel for the second respondent shall stand corrected and replaced with “Mr.Ayyathurai, Government Advocate for R2” and the name of Mr.R.Jayaprakash, the learned Counsel shall be shown as appearing for R3 and R4.

4. Registry is directed to issue a fresh order copy by incorporating the above corrections.

08.01.2026

veda



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D.BHARATHA CHAKRAVARTHY.J.,

veda

W.P.No.31772 of 2025

08.01.2026