



WP.(MD)No.1125 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.09.2025

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CORAM :

THE HON`BLE MR.JUSTICE B.PUGALENDHI

WP.(MD)No.1125 of 2020
and WMP.(MD)Nos.898 of 2020 & 5741 of 2021

A.Subbian

... Petitioner

Vs.

1.The Additional Central Provident
Fund Commissioner (Pension),
Employees Provident Fund Organization,
(Ministry of Labour and Employment)
Government of India,
Bhavishya Nidhi Bhavan,
14 Bhikaji Cama Place,
New Delhi 110 066.

2.The Provident Fund Commissioner,
Regional Employees Provident Fund Organization,
Lady Doak College Road,
Madurai 625002.

3.The President,
A.420, Palayampatti,
Primary Agricultural Cooperative Credit Society Ltd.,
South Street, Palayampatti Aruppukottai T.K.,
Virudhunagar District 626112.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, to direct the second respondent to pay the higher pension to the petitioner on the basis of the representation dated 12.01.2018 in the light of the Judgment of the Hon'ble High Court of Kerala made in



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WP(C)No.13120/2015 and Hon'ble Supreme Court in SLP.No. 10013 & 10014/2016 within the time stipulated by this Court.

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For Petitioner : Mr.C.Jeganathan
For R3 : Mr.C.Venkatesh Kumar,
Special Government Pleader.
For R1 & R2 : No Appearance

ORDER

The petitioner, who is a retired employee of the A.420, Palayampatti Primary Agricultural Cooperative Credit Society, has filed this writ petition seeking a direction to the second respondent to pay higher pension to the petitioner by considering his representation dated 12.01.2018 in the light of the Judgment of the Hon'ble High Court of Kerala made in WP(C)No.13120/2015 and Hon'ble Supreme Court in SLP.No.10013 & 10014/2016.

2.The issue has been subsequently decided by the Hon'ble Supreme Court on the appeal preferred by the Employees' Provident Fund Association that the employees who had retired prior to 1st September 2014 without exercising any option under paragraph 11(3) of the pre-amendment scheme have already exited from the membership thereof. Therefore, they would not be entitled to the benefits of the judgment.



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3. Admittedly, the petitioner was retired from service on 31.05.2011 and therefore, he is not entitled for the benefits. Therefore, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

10.09.2025

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

To

The President,
A.420, Palayampatti,
Primary Agricultural Cooperative Credit Society Ltd.,
South Street, Palayampatti Aruppukottai T.K.,
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