



W.P.(MD).No.15487 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.15487 of 2025

and

W.M.P(MD) No.11705 of 2025

1. P.Anand
2. M.E.M.Jayasudha
3. V.N.Sivakumar
4. N.Kuttalam
5. T.Ramachandran
6. H.Venkatesh
7. P.S.Senthilkumar
8. P.Arumugatharan
9. M.Rathinavelu
10. M.Selvi
11. K.Iyyappan
12. V.Ramesh
13. R.Rajkumar

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14. E.Mohanakumar
15. M.Shanmugampillai
16. S.Velkumar
17. V.Muthusubramaniam
18. M.Sundar
19. M.Kavitha
20. T.Rajasekar
21. A.Manikandan
22. S.Dhanushkodi
23. N.Nagalingam
24. R.Naveen
25. S.Sathishkumar
26. R.Mini
27. M.Sermaraja
28. N.Muthukannan
29. V.Sivakumar
30. J.Muthamil Selvan
31. S.Rameshkumar
32. N.Shri Ramachandran



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33. M.Purusothaman

34. B.Senthilkumar

35. C.Haripadmanaban

36. T.Kannathasan

37. S.Kannan

38. S.Murugaiah

... Petitioners

Vs.

1. The Commissioner,
Employees Provident Fund,
No.37, Royapettah High Road,
Chennai – 14.

2. The Commissioner,
Hindu Religious and Charitable Endowments,
Nungambakkam,
Chennai.

3. The Joint Commissioner,
Incorporated and Unincorporated
Thevasthanam,
Suchindram,
Kanniyakumari District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to pay the equal contribution amount to the first respondent's employees from the month of August 2015 based on the petitioners representation dated 17.12.2024 within the time stipulated by this Court.



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For Petitioners : Mr.H.Velavadhas
For Mr.Shyam S.R

For R1 : Mr.Mahaboob Athiff

For R2 : Mr.S.S.Madhavan
Additional Government Pleader

For R3 : Mr.R.Shangar Ganesh

ORDER

The present writ petition has been filed by the senior temple employees of Kanniyakumari Temples seeking a Mandamus, to direct the respondents to pay equal contribution amount to the Employees Provident Fund Organization from August 2015 based upon their representation dated 17.12.2024.

2. The petitioners herein have crossed in Rs.15,000/- threshold limit as contemplated under Section 6 of the Employee's Provident Fund Act. As on today, they continue to be members of the Employees Provident Fund Scheme and contributions are paid by them at the rate of 12% at Rs.15,000/-. Now the grievance of the writ petitioners is that they are ready to pay their 12% contribution on the actual wages and the Management, namely, the Hindu



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Religious and Charitable Endowments Department shall be directed to pay the equal contribution on the actual wages. For the said grievance, a representation has been addressed by the petitioners to the third respondent on 17.12.2024. The same has been forwarded by the third respondent to the second respondent on 07.01.2025.

3. As per paragraph No.11 (4) of the Employee's Pension Scheme, the Management has to give its consent for payment of 12% contribution on the actual wages. When the wages have already crossed in Rs.15,000/-, a decision has to be taken by the second respondent, as to whether to give consent for the same or not. Since the letter forwarded by the third respondent to the second respondent is pending with the second respondent from January 2025 onwards, this Court is inclined to direct the second respondent to consider the letter forwarded by the third respondent and pass orders on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.



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4. With the above said observation, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently connected Miscellaneous Petition stands closed.

18.06.2025

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

1. The Commissioner,
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Chennai – 14.
2. The Commissioner,
Hindu Religious and Charitable Endowments,
Nungambakkam,
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3. The Joint Commissioner,
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Kanniyakumari District.



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R.VIJAYAKUMAR,J.

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