



W.P.(MD) No.17203 of 2021

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.(MD) No.17203 of 2021

1.Wimco Uppu Thozhilalar Sangam
reg.No.167/TAJ
rep.by its President
Kadinelvayal Post
Vedaranyam Taluk
Nagapattinam District

2.A.Subbaiyan

... Petitioners

-vs-

1.The Central Provident Fund Commissioner
Employees Provident Fund Organisation
Head Office
Bhavishya Nidhi Bhawan
14-Bhikaji Cama Place
New Delhi-110 066

2.The Regional Provident Fund Commissioner
EPFO Sub-Regional Office
Bhavishya Nidhi Bhavan
NGO B Colony
Perumalpuram Post
Thirunelveli-627 007



W.P.(MD) No.17203 of 2021

WEB COPY
3.The Management of Gujarat
Heavy Chemicals Ltd.,
Salt Factory
Kadivelvayal Post
Vedaranyam Taluk
Nagapattinam District

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of declaration declaring that the action of the second respondent and the officials in his office in rejecting and returning the applications forwarded by the third respondent in Form-10-D for sanction of pension to the retired employees, who are the retired employees of the Contractors of the third respondent and members of the first petitioner Union, on the ground that they have not rendered the minimum 10 years of service, by excluding the off-season period of every year as non-contributory period and refusing to sanction pension to them, based on the above reason and on the ground that they have sought for clarification from the first respondent and on the ground that such clarification was yet to be given by the first respondent as illegal, arbitrary and unconstitutional and consequently direct the second respondent to accept the applications in Form-10-D of the retired employees and the employees, who have left the service of the Contractors of the third respondent Management and also from such employees in future and sanction pension, after calculating the eligible service in terms of the explanation to Para 9(a) of



W.P.(MD) No.17203 of 2021

WEB COPY

the Employees' Pension Scheme, 1995, by taking actual service less than a year in each year of service as full year service and by not excluding the off-season period in each year for the reason of no remittance of PF contributions for the same, within a time stipulated by this Court.

For Petitioners : Mr.S.Arunachalam

For Respondents : Mr.S.Murugan, CGC for R1
Mr.K.Muralisankar for R2
Mr.T.Ravichandran for R3

ORDER

Learned for the petitioners seeks permission of this Court to withdraw this writ petition and he has also made an endorsement to that effect.

2. In view of the same, this writ petition is dismissed as withdrawn. No costs.

10.03.2025

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

krk

Page 3 of 4



WEB COPY



W.P.(MD) No.17203 of 2021

MUMMINENI SUDHEER KUMAR, J.

krk

W.P.(MD) No.17203 of 2021

10.03.2025

Page 4 of 4