

W.P.(MD)No.23333 of 2018

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

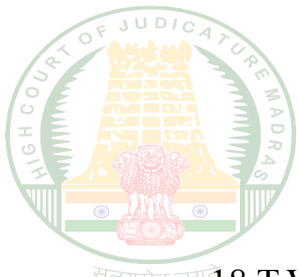
DATED : 21.01.2025

CORAM

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.P.(MD)No.23333 of 2018 &
W.P.(MD)No.21196 of 2018

- 1.R.Jayakumar
- 2.A.Paramasivan
- 3.S.Sambasivan
- 4.R.Lingappan
- 5.R.Srirama Sankaranarayanan
- 6.P.Subramanian
- 7.S.Rajan
- 8.A.Murugan
- 9.S.Raveendran
- 10.D.Arunachalam
- 11.P.Paul Durai
- 12.V.Rajaraman
- 13.P.Subramanian
- 14.K.Gopalakrishnan
- 15.S.Paul Ponniah
- 16.K.Murugesan
- 17.R.Srinivasan



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18.T.V.Chandrasekaran

19.V.Venkateswaran

20.L.Rengarajan

21.A.Chandra Bose

22.R.Jeyasingh

23.S.Sivaperuman

24.M.Ramamurthy

25.E.Pappu Adaikalam

26.K.Arumuga Nainar

27.K.Subramanian

28.D.Caithan Fernando

29.S.Syed Magdoom

30.A.Chellappa

31.S.Murugan

32.V.Ananthanarayanan

33.B.Sankaran

34.S.Pazhani Kumar

35.P.Puthiyamuthuswamy

36.C.Kamalakannan

37.N.Sudhakar

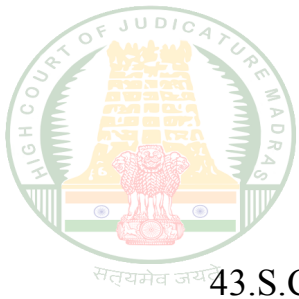
38.M.Ponraj

39.L.Srinivasan

40.J.Dhanraj

41.R.Jean Rodrigo

42.K.Subbukutty



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43.S.Chockalingam

44.K.Karuppiah

45.N.Alwan

46.A.C.Ramanan

47.P.Paneerselvan

48.R.Dharmalingam

49.V.Balasubramanian

50.S.Muthukrishnan

51.P.somasundaram

52.B.Renganathan

53.S.Mohandoss

54.C.Jebamanohar

55.K.Kandasamy

56.S.Nagendra Pillai

57.P.Muthiah

58.R.Manthiramoorthy

59.V.Sankaranarayanan

60.V.Livingston

...Petitioners

VS.

1.Union of India,
Represented by the Secretary,
Ministry of Labour and Employment,
Department of Employment,
New Delhi - 110 001.

2.The Employees Provident Fund Organisation,
Represented by the Chief Provident Commissioner,
Bhavishya Nidhi Bhavan,



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14, Bhikaji Cama Palace,
New Delhi - 110 066.

3.Regional Provident Fund Commissioner,
The Employees Provident Fund Organisation,
Bavishya Nidhi Bhawan, NGO, B Colony,
Perumalpuram P.O.,
Tirunelveli - 627 007.

4.DCW Limited,
Dharangadara Chemical Works Ltd.,
Sahpuram, Tiruchendur Taluk,
Tuticorin - 628 229.
Represented by its Executive Vice President.

5.Dhrangadhra Chemical Works Employees
Provident Fund,
DCW Limited, Sahupuram,
Tiruchendur Taluk,
Tuticorin - 628 229,
Represented by its Authorized Signatory.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the respondents 2 and 3 or other appropriate authorities under the Employees Provident Fund and Miscellaneous Provisions Act, 1952 and the Employees Pension Scheme, 1995 to revise and enhance the monthly pension paid to the petitioners by permitting them to remit back 8.33% share of the employer's contribution proportionate to the actual salary of the petitioners in excess of Rs.6,500/- to the Employee's Pension Scheme account from the date of commencement of the Scheme, 1995 or from the date the salary of the



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petitioners exceeded Rs.6,500/- and disburse the recomputed pension with arrears calculated on the basic of average of 12 months salary exceeding the supposed ceiling limit immediately preceding the date of retirement / exit from the membership of the pension fund as granted vide Judgment of the Hon'ble Supreme Court in S.L.P.No.33032-33033 of 2015 and circular dated Pension - I/12/33/EPsAmendment/96/Vol.II dated 23.03.2017, within a time frame to be stipulated by this Court.

For Petitioners : Mr.R.Sanjith

For Respondents : Mr.K.Muralidharan for R1 and R2
Mr.Hema Karthikeyan for R4 and R5
Mr.N.Sathish Kumar for R3

ORDER

When the matter was taken up for hearing on 03.01.2025, there was no representation for the petitioners. Hence, this matter was directed to be listed today i.e., on 21.01.2025 under the caption 'for dismissal'. Accordingly, the matter is listed today.

2. Today also, when the matter is taken up for hearing, there is no representation for the petitioners, which shows that the petitioners have no interest to prosecute the petition. In view of the same, this Writ



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Petition is dismissed for non-prosecution. No costs. Consequently,
connected Miscellaneous Petition is closed.

21.01.2025

NCC:Yes/No

Index:Yes/No

Speaking/Non-speaking order

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KRISHNAN RAMASAMY, J.

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