



W.P.(MD) Nos.19700 & 19701 of 2018

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.(MD) Nos.19700 & 19701 of 2018

and

W.M.P.(MD) Nos.17477, 17478, 17479 & 17480 of 2018

W.P.(MD) No.19700 of 2018:

G.Karunakaran

... Petitioner

-VS-

- 1.Union of India
rep.by Secretary to Government'
of India
Ministry of Labour and Employment
Shram Shakti Bhawan
RafiMarg
New Delhi-110 001
- 2.Central Provident Fund Commissioner
Employees Provident Fund Organisation
Ministry of Labour & Employment
Govt.of India, Bhavishya Nidhi Bhawan
14, Bhikaji Cama Place
New Delhi-110 066
- 3.Addl. Central Provident Fund Commissioner
HQ (Pension) Employees Provident
Fund Organisation
Bhavishya Nidhi Bhawan+14
Bhikaji Cama Place, New Delhi-110 066



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**4.Regional Provident Fund Commissioner-I
(Pension)**

Employees Provident Fund Organisation
Bhavishya Nidhi Bhawan
14, Bhikaji Cama Place
New Delhi-110 066

5.Addl. Central Provident Fund Commissioner

Employees Provident Fund Organisation
37, Royapettah High Road
Chennai-600 014

6.Regional Provident Fund Commissioner I

Employees Provident Fund Organisation
Post Box No.588, Shree Complex
D Block 18, Madurai Road
Thiruchirapalli 620 008

**7.Tamil Nadu Newsprint and
Papers Limited**

rep.by its Chairman
67, Mount Road, Guindy
Chennai-600 032

8.The General Manager (HR)

Tamil Nadu Newsprint
and Papers Ltd.,
Kagithapuram-639 136
Karur District

9.TNPL Provident Fund Trust

rep.by its Secretary
Kagithapuram-639 136
Karur District

... Respondents



W.P.(MD) Nos.19700 & 19701 of 2018

WEB COPY PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorarified mandamus calling for the records pertaining to the impugned letter issued by the fourth respondent in No:Pension/I/12/33/EPS Amendment/90Vol II, dated 31.05.2017 and quash the same and consequently, direct the respondents to grant pension on higher wages under EPS, 1995.

For Petitioner : Mr.K.Kannan

For Respondents : Mr.H.Velavadhas
Senior Panel Counsel for
Central Government for R1
Mr.N.Dilip Kumar for R2 to R6
Mr.M.P.Senthil for R7 & R9
No appearance for R8

W.P.(MD) No.19701 of 2018:

R.Periyasamy

... Petitioner

-vs-

1.Union of India
rep.by Secretary to Government'
of India
Ministry of Labour and Employment
Shram Shakti Bhawan
RafiMarg
New Delhi-110 001



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2. Central Provident Fund Commissioner
Employees Provident Fund Organisation
Ministry of Labour & Employment
Govt. of India, Bhavishya Nidhi Bhawan
14, Bhikaji Cama Place
New Delhi-110 066
3. Addl. Central Provident Fund Commissioner
HQ (Pension) Employees Provident
Fund Organisation
Bhavishya Nidhi Bhawan+14
Bhikaji Cama Place
New Delhi-110 066
4. Regional Provident Fund Commissioner-I
(Pension)
Employees Provident Fund Organisation
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Post Box No.588, Shree Complex
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7. Tamil Nadu Newsprint and
Papers Limited
rep. by its Chairman
67, Mount Road, Guindy
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8.The General Manager (HR)
Tamil Nadu Newsprint
and Papers Ltd.,
Kagithapuram-639 136
Karur District

9.TNPL Provident Fund Trust
rep.by its Secretary
Kagithapuram-639 136
Karur District

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorarified mandamus calling for the records pertaining to the impugned letter issued by the fourth respondent in No:Pension/I/12/33/EPS Amendment/96Vol II, dated 31.05.2017 and quash the same and consequently, direct the respondents to grant pension on higher wages under EPS, 1995.

For Petitioner : Mr.K.Kannan

For Respondents : Mr.H.Velavadhas
Senior Panel Counsel for
Central Government for R1
Mr.N.Dilip Kumar for R2 to R6
Mr.M.P.Senthil for R7 & R9
No appearance for R8



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COMMON ORDER

These writ petitions have been filed by the petitioners questioning the Circulars bearing Nos:Pension/I/12/33/EPS Amendment/90Vol II and Pension/I/12/33/EPS Amendment/96Vol II, both dated 31.05.2017, issued by the fourth respondent.

2. During the pendency of these writ petitions, much water has flown and the issue also came before the learned Division Bench of this Court in W.A.No.2621 of 2023 etc., batch as well as before the Honourable Apex Court in SLP(C) Nos.8658-8659 of 2019, wherein, the Honourable Apex Court by an order dated 04.11.2022, has issued certain guidelines. Further, the respondent – Organisation also passed individual orders in respect of the petitioners herein *vide* proceedings bearing No.CB/TRY/22238/TNPL/Gr-9/Validation/Para.11(3)-JO/Order/2023, dated 16.09.2023 and 08.09.2023 respectively and a copy of the same is also placed before this Court.



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3. In the light of the above, even if the present writ petitions are decided on either way, the grievance of the petitioners cannot be redressed unless and until, they take appropriate steps to challenge the individual orders passed against them by the respondent – Organization.

4. In view of the above, these writ petitions are closed granting liberty to the petitioners to challenge the above individual orders passed against them by the respondent - Organisation as well as the impugned circulars dated 31.05.2017. No costs. Consequently, connected miscellaneous petitions are closed.

25.04.2025

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

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To:
The Secretary to Government,
Union of India.
Ministry of Labour and Employment,
Shram Shakti Bhawan,
RafiMarg,
New Delhi-110 001.

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