

Anil Raghavan vs Union of India

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Court : Kerala

Decided On : Apr-04-2025

Judge : Honourable Mr.Justice Murali Purushothaman

Appeal No. : WP(C)/13935/2025

Appellant : Anil Raghavan

Respondent : Union of India

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE MURALI PURUSHOTHAMAN FRIDAY, THE 4TH DAY OF APRIL 2025 / 14TH CHAITHRA, 1947 WP(C) NO. 13935 OF 2025 PETITIONER: ANIL RAGHAVAN AGED 62 YEARS S/O. M.R. RAGHAVAN, RESIDING AT VILLA NO.3, PERIYAR HERMITAGE, COMPANYPADY, ALUVA, ERNAKULAM, PIN - 683 106. BY ADVS. R.SANJITH C.S.SINDHU KRISHNAH RESPONDENTS: 1 UNION OF INDIA REPRESENTED BY THE SECRETARY, MINISTRY OF LABOUR AND EMPLOYMENT, DEPARTMENT OF EMPLOYMENT, NEW DELHI, PIN - 110 001. 2 THE EMPLOYEES PROVIDENT FUND ORGANISATION REPRESENTED BY THE CHIEF PROVIDENT COMMISSIONER, BHAVISHYA NIDHI

BHAVAN, 14, BHIKAJI CAMA PALACE, NEW DELHI, PIN - 110 066. 3 REGIONAL PROVIDENT FUND COMMISSIONER THE EMPLOYEES PROVIDENT FUND ORGANISATION KALOOR, ERNAKULAM, PIN - 682 017. WP(C) NO.13935 OF 2025 : 2 : 4 THE FERTILISERS AND CHEMICALS TRAVANCORE LIMITED (FACT) UDYOGAMANDAL, ERNAKULAM, REPRESENTED BY ITS CHAIRMAN AND MANAGING DIRECTOR, PIN - 683 501.

BY ADVS. SAJEEV KUMAR K.GOPAL, STANDING COUNSEL GOPIKRISHNAN NAMBIAR, STANDING COUNSEL. THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 04.04.2025, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: WP(C) NO.13935 OF 2025 : 3 :

JUDGMENT

The petitioner retired from the service of the 4 th respondent on attaining the age of superannuation on 31.07.2020. Pursuant to the joint option exercised by the petitioner, Exts.P1 and P3 demand notices were issued to the petitioner asking the petitioner to remit Rs.35,22,501/- and Rs.1,49,162/- respectively. The petitioner has produced Exts.P2 and P4 cheques evidencing payment of the said amounts. The grievance of the petitioner is that the arrears of pension due to the petitioner for the period from 28.07.2020 to 28.12.2024 is not yet paid. The petitioner, accordingly, submitted Ext.P5 representation to the 3rd respondent through E-mail. WP(C) NO.13935 OF 2025 : 4 :

2. The petitioner has filed this writ petition for the following relief:-

i) To issue a writ of mandamus and command respondents 2 and 3 to disburse the arrears of pension lawfully due to the petitioner for the period between interest at the rate of 12%, within a time frame to be fixed by this Honourable Court.

3. Heard the learned Counsel for the petitioner,

the learned Central Government Counsel, Adv. Sajeev Kumar K. Gopal, the learned Counsel for respondents 2 and 3 and Adv. M. Gopikrishnan Nambiar, the

learned Counsel for the 4th respondent.

4. In the facts and circumstances of the case,

there will be a direction to the 3rd respondent to consider the grievance highlighted by the petitioner in Ext.P5 and WP(C) NO.13935 OF 2025 : 5 : take appropriate decision and disburse the arrears due to the petitioner, if any, as expeditiously as possible, at any rate, within a period of six weeks from the date of receipt of a certified copy of this judgment. The writ petition is disposed of. Sd/- MURALI PURUSHOTHAMAN JUDGE SRJ WP(C) NO.13935 OF 2025 : 6 : APPENDIX OF WP(C) 13935/2025 PETITIONERS EXHIBITS EXHIBIT P1 TRUE COPY OF THE DEMAND LETTER DATED 18/09/2024 ISSUED BY THE 3RD RESPONDENT. EXHIBIT P2 TRUE COPY OF THE CHEQUES ALONG WITH THE OFFICIAL SEAL OF THE 3RD RESPONDENT DATED CHEQUES. EXHIBIT P3 TRUE COPY OF THE REVISED DEMAND LETTER DATED EXHIBIT P4 TRUE COPY OF THE CHEQUE ALONG WITH THE OFFICIAL SEAL OF THE 3RD RESPONDENT DATED EXHIBIT P5 TRUE COPY OF THE EMAIL DATED 28/03/2025 ISSUED TO THE 3RD RESPONDENT AT RO.KOCHI@EPFINDIA.GOV.IN.

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