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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.02.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P No.2603 of 2023

T.Murugesan

Petitioner

vs.

1.The Provident Fund Officer,
Employees Provident Fund Organization,
No.37, Royapettah High Road,
Opposite Hotel Swagath,
Azad Nagar, Royapettah,
Chennai – 600 014.

2.The Director,
Octopus Marine Company,
No.78, East Madha Church Street,
Royapuram,
Chennai – 600 013.

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 1st respondent to release the Provident Fund amount of the petitioner, deposited in the Provident fund Account No.100065179699 with the 1st respondent, by directly obtaining clarification about his name from the 2nd respondent

For Petitioner : Ms.S,Meenakshi

For Respondents : Mr.R.Vishnu
Standing Counsel for R1

ORDER



This writ petition has been filed for the issue of writ of mandamus directing the 1st respondent to release the Provident fund amount of the petitioner.

2.The case of the petitioner is that he was employed in the 2nd respondent Company as a Supervisor and he was relieved from service in the year 2019. For the period from 2014-19, the 2nd respondent had deposited the Provident fund contribution in the PF account of the petitioner. Originally, the name of the petitioner was T.Alexander. Subsequently, it was changed to T.Murugesan and this was done after properly effecting publication in the Gazette on 23.07.1980.

3.The grievance of the petitioner is that the 1st respondent is not acting upon the application given by the petitioner and permitting the petitioner to withdraw the Provident fund amount due to the discrepancy in the name. The petitioner has requested the 1st respondent to verify the credentials of the petitioner with the 2nd respondent and the same has not been done by the 1st respondent. Left with no other alternative, the present writ petition has been filed before this Court.

4.Heard Ms.S,Meenakshi, learned counsel appearing on behalf of the petitioner and Mr.R.Vishnu, learned Standing Counsel appearing on behalf of the 1st respondent.



5. Taking into consideration the limited relief sought in the present writ petition, there shall be a direction to the 1st respondent to act upon the application submitted by the petitioner seeking for refund of the provident fund contribution. It is left open to the 1st respondent to seek clarification from the 2nd respondent with regard to the credentials of the petitioner. This process shall be completed by the 1st respondent, within a period of six weeks from the date of receipt of copy of this order. The petitioner is directed to make a fresh representation to the 1st respondent along with all the relevant documents and also a copy of this order. A copy of the representation shall also be marked to the 2nd respondent.

6. In the result, this writ petition is disposed of with the above direction. No Costs.

02.02.2023

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
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N. ANAND VENKATESH, J.

SSR

To

The Provident Fund Officer,
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No.37, Royapettah High Road,
Opposite Hotel Swagath,
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