



W.P.No.26663 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.06.2024

CORAM:

THE HONOURABLE Dr. JUSTICE D. NAGARJUN

W.P.No.26663 of 2021
and
WMP.No.28107 of 2021

1.S.Barathi
2.M.S.Lokeswari (Minor)
3.M.S.Sudharshini (Minor)
(2 & 3 petitioners represented by
1st petitioner being mother & natural
guardian)

... Petitioners

Vs.

1.The Joint P.F. Commissioner
Employees Provident Fund Organization
37, Royapettah High Road
Chennai 600 014.

2.The Asst. P.F. Commissioner
Employees Provident Fund Organization
37, Royapettah High Road
Chennai 600 014.

3.The Manager
SDB Select Services Private Limited
New No.9, Old No.4, TTK Road
1st Cross Street, Alwarpet,
Chennai 600 018.

...Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 & 2 to consider the petitioner's composite claim form dated 04.10.2021 along with covering letter to get death benefits of her deceased husband M.V.Shobanbabu after conducting personal enquiry for mismatch of her husband name within the time frame fixed by this Court.

For Petitioners : Mr.R.Chitibabu
For Respondents : Mr.S.M.Deenadayalan for R1 & R2

ORDER

This Writ Petition is filed seeking for Writ of Mandamus, directing the respondents 1 & 2 to consider the petitioners composite claim form dated 04.10.2021 along with covering letter to get death benefits of her husband MV.Shobanbabu by following due process.

2. It is submitted by the learned counsel for the petitioners that the husband of the first petitioner by name M.V.Shobanbabu was an employee of M/s.SDB Select Services Private Limited and he died on 08.06.2020 while in service. After the death of her husband, in order to avail death benefits such as PF payment, Insurance & Pension from the respondents 1 & 2, the



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petitioner approached the third respondent with composite claim form to get employer attestation and signature in the claim form. However, the third respondent orally refused to attest the claim form stating that name of the first petitioner husband changed his name as M.V.Babu.

3. It is submitted by the learned counsel for the petitioners that the first petitioner's husband changed his name from M.V.Shobanbabu to M.V.Babu by following due process of publishing change of name in the Tamil Nadu Government Gazette on 09.12.2009 during his service. The third respondent ignoring the same has refused to sign on the concerned form and therefore, sought for suitable direction.

4. The learned counsel for the respondents 1 & 2 filed a counter affidavit.

5. Heard both sides and perused the records.

6. This is a simple case of direction to the respondents 1 & 2 to consider the petitioners composite claim form dated 04.10.2021 along with covering letter to get death benefits of the first petitioner's husband. Since the



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name of the first petitioner's husband changed his name M.V.Shobanbabu to M.V.Babu, the third respondent seems to have raised the issue. Since the husband of first petitioner has changed the name by following due process, respondent must take the same into consideration.

7. In view of the above, this Writ Petition is disposed of directing the respondents 1 & 2 to consider the petitioner's composite claim form dated 04.10.2021 along with covering letter and decide the same within a period of six weeks from the date of receipt of a copy of this order.

8. With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

26.06.2024

Index : Yes / No
Internet : Yes / No
dna



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To

WEB COPY

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WEB COPY



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Dr.D.NAGARJUN, J.
dna

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