



W.P.No.29785 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.04.2024

CORAM :

THE HONOURABLE **DR. JUSTICE D.NAGARJUN**

W.P.No.29785 of 2022

Sumathi

....Petitioner

Vs.

The Regional Provident Fund Commissioner
No.37, Royapettah High Road,
Opposite Swagat Hotel,
Chennai – 600 014.

...Respondent

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondent herein to consider the representation dated 07.09.2022 and to initiate appropriate action to sanction the insurance amount as per the Employees Deposit linked insurance Scheme, 1976.

For petitioner : Mr.P.Anbarasan

For respondent : Mr.S.M.Deenadayalan,
Standing Counsel

ORDER



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The Writ Petition is filed seeking to issue writ of mandamus directing the respondent to consider the representation of the petitioner dated 07.09.2022 and to pass orders for sanctioning insurance amount as per the Employees Deposit Linked Insurance Scheme, 1976 on account of the death of the petitioner's husband.

2. The petitioner's husband by name Mr.J.M.Karnakaran was working in the Force 1 Guarding Service Pvt Ltd. On 13.05.2019, he died suddenly of heart attack. After the death of the petitioner's husband, the petitioner submitted relevant document to Force 1 Guarding Service Pvt Ltd for getting provident fund of her husband under Employees Deposit Linked Insurance Scheme, 1976. She also submitted form 5(IF) along with other documents required under Employees Deposit Linked Insurance Scheme, 1976. However, the insurance amount was not sanctioned. Force 1 Guarding Service Pvt Ltd also sent a letter to the respondent's Institution on 30.12.2019 and additional documents were further submitted on 30.04.2021. Even after that, the claim of the petitioner has not been settled by the respondent Provident Fund Commission. Therefore this writ petition has been filed for a direction to the respondent by writ of mandamus to settle insurance amount of



the petitioner's husband.

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3. The respondent filed counter affidavit stating that the request of the petitioner towards settlement under Employees Deposit Linked Insurance Scheme, 1976 was rejected on account of wrong updation in their system. The Respondent further requested the petitioners to submit claim form 10D and Form 5(IF) with all copies of the supporting documents attested by the Force 1 Guarding Service Pvt Ltd with office seal for settling the claim of pensionary and insurance benefits respectively.

4. Heard both sides and perused the materials available on record.

5. On considering the counter affidavit filed by the respondent that the claim of the petitioner was rejected on account of the wrong updation in their records and mentioned fairly that the Respondent to consider request of fresh application by the petitioner in required form, this writ petition can be disposed of with certain directions.

6. Accordingly this writ petition is disposed of directing the petitioner to submit fresh application in form 10D and form 5(IF) with other supporting documents for settling claim of the petitioner on account of the death of her husband. The petitioner on filing such application, the respondent is directed to settle the claim of the petitioner within six (6) weeks from the date of



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receipt of the copy of application in proper form. With these observations, the writ petition is disposed of with the above directions. There shall be no order as to costs.

25.04.2024

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Index	:	Yes/No
Internet	:	Yes/No
Citation	:	Yes/No

To:

The Regional Provident Fund Commissioner
No.37, Royapettah High Road,
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Chennai – 600 014.



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DR. D.NAGARJUN,J.

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