



W.P.(MD) No.607 of 2018

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.(MD) No.607 of 2018

P.Mani @ Gopalakrishnan

... Petitioner

-VS-

The Commissioner
Employees Provident Funds Office
Bhavishyanidhi Bhavan
No.1, Lady Doak College Road
Chinna Chokkikulam
Madurai

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondent to include the name of the petitioner Mani @ Gopalakrishnan instead of Mani in the employees' provident fund record in PPO No.MDMDU00081258 based on the representation dated 31.07.2017.

For Petitioner : No appearance

For Respondent : Mr.K.Muralisankar



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ORDER

This writ petition has been filed by the petitioner seeking a writ of mandamus directing the respondent to include the name of the petitioner as “P.Mani @ Gopalakrishnan” instead of “Mani” in the employees' provident fund records in PPO No.MDMDU00081258, by considering his representation dated 31.07.2017.

2. The admitted facts are that the petitioner, namely, P.Mani worked in an establishment, namely, M/s.New Tirupur Lodge in Palani, since 01.03.1971 till 13.04.2013 and retired from service on attaining the age of superannuation. The petitioner was accordingly enrolled with the Employees' Provident Fund Organisation with PF Account No.TN/1891/A/66 and accordingly, provident fund contributions were remitted by the establishment concerned for 42 long years i.e., from 1971 to 2013. After the petitioner retired from service, through PPO No.MD/MDU/81258, the petitioner was sanctioned monthly pension of Rs.2,193/- and thereafter, it was enhanced to Rs.2,379/-.



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3. While the petitioner was drawing the said monthly pension, he submitted a representation to the respondent seeking change of his name in the provident fund records as “P.Mani @ Gopalakrishnan” instead of “P.Mani” basing upon his Aadhaar Card. While the said representation is pending consideration before the respondent, the petitioner has approached this Court by filing the present writ petition seeking a direction to the respondent to consider his representation dated 31.07.2017.

4. The respondent has filed a counter affidavit, wherein there is no dispute on the factual aspects of the matter. However, it is contended that the establishment concerned has remitted the provident fund contributions in the name of “P.Mani” for 42 long years and pension is also sanctioned in favour of the petitioner in the name of “P.Mani”. But, all of a sudden, the petitioner approached the respondent seeking change of his name, without any material in support of his request. In case, if the petitioner produces sufficient materials in support of his claim, the same can be considered by the respondent. It is further stated that the monthly pension that was paid to the petitioner was stopped from the month of January, 2018 for want of Digital Life Certificate by the petitioner and in case, if the petitioner submits the



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Digital Life Certificate, the monthly pension would be paid to the petitioner in the name of “P.Mani” with effect from January, 2018 onwards with arrears.

5. Though this matter came up for consideration on 06.02.2025, 07.02.2025, 10.02.2025 and 12.02.2025, there was no representation for the petitioner. In spite of adjourning the matter time and again, there is no representation even today for the petitioner. In view of the same, this Court is constrained to dispose of the matter basing upon the materials available on record.

6. As it is now evident from the counter affidavit filed by the respondent that the monthly pension has been stopped from January, 2018 for want of Digital Life Certificate from the petitioner, this Court does not find fault on the action of the respondent in stopping the monthly pension from January, 2018.

7. In view of the stand of the respondent taken in Paragraph No.7 of the counter affidavit, the petitioner is permitted to submit the Digital Life Certificate, as required under law, before the respondent and in case if the petitioner submits the same, the respondent shall release the monthly pension



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with effect from January, 2018 and continue to pay the same to the petitioner, without insisting for linking of his Aadhaar Card to the Pension Account. In case if the petitioner is serious about the change of his name in the provident fund records relating to the provident fund Account No.TN/1891/A/66, the petitioner is at liberty to submit all the relevant documents, including Aadhaar Card by duly correcting his name in the Aadhaar Card, to the respondent. In case if the petitioner submits any such material in support of his request for change of his name, the same shall also be considered by the respondent in accordance with law.

8. Accordingly, this writ petition is disposed of. No costs.

19.02.2025

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

Note to Office:

As there is no representation for the petitioner, Registry is directed to communicate a copy of this order directly to the petitioner.

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MUMMINENI SUDHEER KUMAR, J.

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