

IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT
THE HONOURABLE MR.JUSTICE MURALI PURUSHOTHAMAN

Monday, the 27th day of January 2025 / 7th Magha, 1946

WP(C) NO. 2311 OF 2025

PETITIONERS:

1. BALAKRISHNA PILLAI N, AGED 68 YEARS, ARAPPURA MELE VEEDU, "KARTHIKA", TC 7/1835 (3) SREE CHITRHA NAGAR, PANGODE, THIRUMALA PO, TRIVANDRUM, KR/TVM/88789, PIN - 695006
2. PADMALAYAN.R, AGED 65 YEARS, SANATHANI, ERAC.10 (4), EDAGRAMOM, KARUMOM PO, TRIVANDRUM KRTVM88863, PIN - 695002
3. SHEELA S, AGED 65 YEARS ACHUTHAM, PACHALLOOR.P.O., TRIVANDRUM,KRTVM\1416 , PIN - 695027
4. N.R. GOPAKUMAR, AGED 65 YEARS, POOJA, NEAR PADINJARAMUKKU, CHITTATTUMALA.P.O., TRIVANDRUM KRTVM88572, PIN - 685301
5. K. BABU, AGED 65 YEARS, TC 79/541, THIRUVATHIRA, ORUVATHILKOTTA, ANAYARA, TRIVANDRUM,KRTVM\88286, PIN - 695029
6. C PRASANNAKUMAR, AGED 68 YEARS, TC 1/1208 (2) NANDA, POONTHI ROAD, KUMARAPURAM PO, TRIVANDRUM, KRTVM88285, PIN - 695002
7. LIYAKATH ALI, AGED 65 YEARS, PARAMPILVILAYIL, KAYAMKULAM.P.O., ALAPPUZHA, KRKCH16545, PIN - 690502
8. RAMESH A, AGED 67 YEARS, SAYOOJYAM, TC 35/825-1, MOONNAMOODU, VATTIYOORKKAVU, KODUNGANOR PO, OPP. CHRIST THE KING CHURCH, TRIVANDRUM, KRTVM 88343, PIN - 695013
9. S SREEKANTAN NAIR, AGED 65 YEARS, SARAWATHI MANDIRAM, VALIYARATHALA, NARUVAMOODU.P.O., TRIVANDRUM, KRTVM88335, PIN - 695528
10. PADMAKUMAR S.S, AGED 65 YEARS, TC 85/955, DERA 53A, SREEHARI, PALKULANGARA, TRIVANDRUM, KRTVM88514, PIN - 695024
11. MANOHAR.S, AGED 64 YEARS, KAUSTHUBAM, TC 5/2109 (2), VGRA-17, KOKKODU, KOWDIAR P.O, TRIVANDRUM, KRTVM89253, PIN - 695003
12. K.K. GANGADHARAN, AGED 67 YEARS, TC 52/1660, SUMI NIVAS, ESTATE P.O., STUDIO ROAD, TRIVANDRUM, KRTVM88498, PIN - 695019
13. SURENDRAN KANI, AGED 65 YEARS, SOORAJ BHAVAN, NARAKATHIL KUZHI, MYLAKKARA.P.O., KALLIKKAD, KATTAKKADA, TRIVANDRUM, KRTVM88551, PIN - 695572
14. JAYAKUMAR G, AGED 68 YEARS, CHAITHRAM, CHEKKALAMUKKU, SREEKARIYAM, TRIVANDRUM, KRTVM88553, PIN - 695017
15. VELAYUDHAN K A, AGED 64 YEARS, PRANAVAM, TC 28/376, SASTHAMKOVIL ROAD, THYCAUD.P.O., TRIVANDRUM, KRTVM88757, PIN - 695014
16. ABDUL RASHEED K, AGED 67 YEARS, SAIBAS, TC 4/1519(1), ARA-35A, NORTH CLIFF HOUSE, KOWDIAR PO, TRIVANDRUM, KRTVM88066, PIN - 695003
17. BABU KURIAKOSE, AGED 66 YEARS, ANUVELIL, BN-127, DURGA LANE, PONGUMOODU, MEDICAL COLLEGE.P.O., TRIVANDRUM, KRTVM88323, PIN - 695011
18. KANNAPPAN T R, AGED 65 YEARS, TC 14/526, NANTHAVANAM, PALAYAM, VIKAS BHAVAN, TRIVANDRUM, KRTVM89288, PIN - 695033
19. P MOHANDAS, AGED 69 YEARS, MOHAN NIVAS, TC 29/1039, ARA-79,

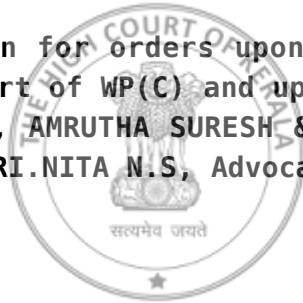
- KOZHIYOTTULANE, PALKULANGARA, TRIVANDRUM, KRTVM87720, PIN - 695024
20. T VARGHESE, AGED 67 YEARS, DEEPAM, TC 90/1864, 2ND CROSS STREET, NR.ALL SAINTS COLLEGE JN., BEACH PO, TRIVANDRUM, KRTVM88477, PIN - 695007
21. CHRISTUDAS L JOSE, AGED 66 YEARS, JOSADAN, GVRA-I, VETTUCAUD, BEACH PO, TRIVANDRUM, KRTVM 88865, PIN - 695007
22. VIJAYAKUMAR B, AGED 64 YEARS TC 5/2058 (1), SREYAS, PNRA-E-51C, SREEKRISHNA LANE, KOWDIAR PO, TRIVANDRUM, KRTVM88853, PIN - 695003
23. JOSEPH MIRANDA, AGED 68 YEARS, TC 34.633, VIOLET HOUSE, VETTUCAUD, BEACH PO, TRIVANDRUM KRTVM 88507, PIN - 695007
24. PREMA K, AGED 64 YEARS, SREEVILAS, UDAYAGIRI, CHEMPAZHANTHI PO, TRIVANDRUM, KRTVM 88506, PIN - 695087
25. SATHISH K R, AGED 68 YEARS, TC 2/1884, PJ NIVAS, VEERBHADRA GARDENS, VAIDYUTHI BHAVAN, PATTOM, TRIVANDRUM, KRTVM 88475, PIN - 695004
26. SREEDAS D, AGED 65 YEARS RAKENDU, TC 79/2049(1), ARA-218, KARIKKAKOM.P.O., TRIVANDRUM, KRTVM88570, PIN - 695001
27. BOBAN B, AGED 65 YEARS, KAREEKAIL HOUSE, VALIAVELI, TRIVANDRUM, KRTVM89050, PIN - 695001
28. G MADHUSOODHANAN, AGED 64 YEARS, GOKULAM, DEVINAGAR, 193, MANNAMoola, PEROORKKADA PO, TRIVANDRUM, KRTVM88791, PIN - 695005
29. REMAKANTHAN G, AGED 65 YEARS, SHEELA SADANAM, TC 79/1417, KARIKKAKOM.P.O., TRIVANDRUM, KRTVM88535, PIN - 695021
30. JAYALEKSHMI M, AGED 63 YEARS, TC 91/1285, SIVAM, KARIKKAKOM, TRIVANDRUM, KRTVM89334, PIN - 695021
31. DYNECIOUS, AGED 66 YEARS, KODUVELI PARAMBIL, LNApra-92 B, KAZHAKUTTAM.P.O., TRIVANDRUM, KRTVM88644, PIN - 685582
32. GANESH N, AGED 64 YEARS, TC 6/511 (24), SHIVA SAI, KARIMONKULAM, TRIVANDRUM, KRTVM89287, PIN - 695013
33. P R MANOHARAN NAIR, AGED 67 YEARS, PLRA-18, PATTOM PO, TRIVANDRUM, KRTVM 88341, PIN - 695004
34. G SANKAR, AGED 65 YEARS, THIRUVONAM, TC 93/707, KALLUMMOODU, ANAYARA, TRIVANDRUM, KRTVM88435, PIN - 695029
35. N.K. SUDARSANAN, AGED 65 YEARS, AMBADI, SREE NAGAR, C-11, VENCHAVODE, TRIVANDRUM, KRTVM88476, PIN - 695017
36. MOHAN M.G., AGED 63 YEARS TC 66/536-2, GIRIJA BHAVAN, VADAKKEVILA, NR. PHED WATER TREATMENT PLANT, PACHALLOOR, KRTVM 88877, PIN - 695027
37. BABU V, AGED 63 YEARS, VYSAKAM, MANALIVILA, POWDIKONAM.P.O., RANDAMCHIRA, ULIAZHATHURA TRIVANDRUM, KRTVM 88876 , PIN - 695587
38. D SURENDRAN, AGED 64 YEARS, TC 32/20, RAJAMMA NILAYAM, MADHAVAPURAM, KOCHUVELI, TITANIUM PO, TRIVANDRUM, KRTVM 88441, PIN - 695021
39. K. WILCENT, AGED 67 YEARS, GETHSAMANA CHARI, KANJIRAMKULAM, TRIVANDRUM, KRTVM 88569, PIN - 695524
40. L SUGATHAN, AGED 65 YEARS, LEKSHMI BHAVAN, KADAMBARA, POOZHANADU PO, OTTASEKHARAMANGALAM, TRIVANDRUM, KRTVM 88443, PIN - 695125
41. C.C.KRISHNAN, AGED 65 YEARS, CHUNDAGATHADAM HOUSE, ORNA, ALLAPRA, PERUMBAVOOR, P.P.O.NO.KR/KCH/88760, PIN - 683556

RESPONDENTS:

1. UNION OF INDIA (UOI), REPRESENTED BY THE SECRETARY TO GOVT. OF INDIA, MINISTRY OF LABOUR & DEPARTMENT OF EMPLOYMENT, NEW DELHI, PIN - 110001
2. REGIONAL PROVIDENT FUND COMMISSIONER EMPLOYEES PROVIDENT FUND ORGANISATION (EPFO), BHAVISHANIDHI BHAVAN, PATTOM PALACE, THIRUVANANTHAPURAM, PIN - 695004
3. REGIONAL PROVIDENT FUND COMMISSIONER-1 (PENSION) EPFO HEAD OFFICE, MINISTRY OF LABOUR AND EMPLOYMENT, GOVERNMENT OF INDIA, BHAVISHYA NITHI BHAVAN, 14- BHIKAJI CAMA PALACE, NEW DELHI, PIN - 110066
4. THE MANAGING DIRECTOR TRAVANCORE TITANIUM PRODUCTS LTD., KOCHUVELI, TRIVANDRUM, PIN - 695021

Writ petition (civil) praying inter alia that in the circumstances stated in the affidavit filed along with the WP(C) the High Court be pleased to i) stay Ext.P7 issued in respect of first petitioner and similar orders issued in respect of other petitioners, and ii) issue a direction to the second respondent not to curtail the higher pension being drawn by the petitioners as per Ext.P5 to the first petitioner and similar orders in respect of other petitioners, until furthers are being obtained from this hon'ble court, pending disposal of the writ petition.

This petition coming on for orders upon perusing the petition and the affidavit filed in support of WP(C) and upon hearing the arguments of M/S P.N.MOHANAN, C.P.SABARI, AMRUTHA SURESH & GILROY ROZARIO, Advocates for the petitioners and of SRI.NITA N.S, Advocates for R1 to R3, the court passed the following:



MURALI PURUSHOTHAMAN, J.

W.P. (C) No.2311 of 2025

Dated this the 27th day of January, 2025

ORDER

There will be an interim direction to the 2nd respondent not to curtail the higher pension stated to be drawn by the petitioners as per Ext.P5 and similar orders, for a period of two months.

Post on 27.03.2025.



Sd/-

**MURALI PURUSHOTHAMAN
JUDGE**

SPR

APPENDIX OF WP(C) 2311/2025

Exhibit P1	TRUE COPY OF THE NOTIFICATION HAVING NO.GSR 609 (E) DATED 22.08.2014
Exhibit P2	TRUE COPY OF THE JUDGMENT OF SASIKUMAR V. UNION OF INDIA AS REPORTED IN ILR 2019 (1) KER 614
Exhibit P3	TRUE COPY OF THE JUDGMENT DATED 04.11.2022 IN EMPLOYEES PROVIDENT FUND ORGANISATION AND ANOTHER V. SUNIL KUMAR B AND OTHERS AS REPORTED IN 2022 (7) KHC 12 (SCC)
Exhibit P4	TRUE COPY OF THE LETTER DATED 08.03.2020 OF THE SECOND RESPONDENT DIRECTING TO REMIT RS.2,99,683/- FOR GETTING HIGHER PENSION IN RESPECT OF THE FIRST PETITIONER
Exhibit P5	TRUE COPY OF THE PENSION PAYMENT ORDER IN RESPECT OF THE FIRST PETITIONER
Exhibit P6	TRUE COPY OF THE LETTER DATED 28.06.2024 OF THE SECOND RESPONDENT IN RESPECT OF THE FIRST PETITIONER
Exhibit P7	TRUE COPY OF THE ORDER DATED 24.09.2024 OF THE SECOND RESPONDENT
Exhibit P8	TRUE COPY OF THE COMMUNICATION DATED 08.12.2023 OF THE EPFO
Exhibit P9	TRUE COPY OF THE COMMUNICATION DATED 21.12.2023 OF THE EPFO
Exhibit P10	TRUE COPY OF THE CIRCULAR DATED 14.02.2024 ISSUED BY THE EPFO
Exhibit P11	TRUE COPY OF THE AMENDMENT HAVING GSR.NO.657(E) DATED 01.07.2016
Exhibit P12	TRUE COPY OF THE INTERNAL CIRCULAR DATED 18.01.2025 OF THE THIRD RESPONDENT
Exhibit P13	TRUE COPY OF THE ORDER DATED 14.03.2019 OF THE ADDITIONAL CENTRAL PF COMMISSIONER
Exhibit P14	TRUE COPY OF THE RELEVANT CENTRAL SERVICE PENSION RULES, 2021 ISSUED UNDER GSR.NO.868 (E) DATED 20.12.2021
Exhibit P15	TRUE COPY OF THE ORDER DATED 05.08.2024 IN W.P.(C).NO.25568/2024
Exhibit P16	TRUE COPY OF THE INTERIM ORDER DATED 13.12.2024 IN W.P.(C).NO.44521/2024
Exhibit P17	TRUE COPY OF THE NEWS ITEM PUBLISHED IN MATHRUBHUMI DAILY DATED 20.01.2025
Exhibit P18	TRUE COPY OF THE NEWS ITEM PUBLISHED IN MATHRUBHUMI DAILY DATED 20.01.2025
Exhibit P19	TRUE COPY OF THE NEWS ITEM PUBLISHED IN MANORAMA DAILY DATED 20.01.2025
Exhibit P20	TRUE COPY OF THE NEWS ITEM PUBLISHED IN MANORAMA ONLINE DATED 20.01.2025
Exhibit P21	TRUE COPY OF THE ORDER DATED 17.01.2025 OF THE CENTRAL PF COMMISSIONER