



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.03.2018

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD).No.5392 of 2018

P.Shanmugavel

... Petitioner

Vs.

1.The Managing Director of
Tamil Nadu State Transport Corporation (Madurai) Ltd.,
and Chairman/Managing Trustee of
Tamil Nadu State Transport Corporation (Madurai) Ltd.,
Employees Provident Fund Trust,
Bye Pass Road,
Madurai.

2.The Deputy Manager,
Employees Provident Fund Section,
Tamil Nadu State Transport Corporation (Madurai) Ltd.,
Madurai Region, Head Office,
Bye Pass Road, Madurai. ... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to sanction and pay the petitioner 90% of his provident fund contribution lying in the credit of the petitioner's provident fund account to meet medical expenses of his son S.Thiruppathiraja, aged 23 years within the time frame that may be fixed by this Court.

For Petitioner :Mr.A.Rahul

For Respondents :Mr.A.P.Muthu Pandian

ORDER

The petitioner's son under went kidney transplantation. In this regard, the petitioner incurred heavy medical expenditure. The petitioner is on the verge of the retirement. In such cases, the rule is permitting withdrawal upto 90% of the advance amount.

2.The respondents are therefore directed to disburse the said amount to the petitioner subject to his eligibility. It is made clear that a positive direction is given only regarding disbursement. As regards the quantum of advance amount eligible to



be withdrawn, it is for the respondent management to quantify the same. The writ petition is allowed accordingly. No costs.

Sd/-

Assistant Registrar(AS)

/True Copy/

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Sub Assistant Registrar.

+1CC to Mr.A.Rahul, Advocate, SR.No. 55073

W.P. (MD) .No.5392 of 2018

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AM/SKN RSK/SAR 4/16.03.2018/2P/2C