

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 20.07.2018****CORAM:****THE HONOURABLE MR.JUSTICE R.SURESH KUMAR****W.P. (MD) No.15894 of 2018****WEB COPY**

R.Saravanan

... Petitioner

-Vs-

The Managing Director,
Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Kumbakonam, Thanjavur District.

... Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, to direct the respondent to consider the petitioner's representation dated 11.12.2017 and consequently to grant Provident Fund (Non-Recovery P.F) amount of Rs.2,50,000/- from the accrued provident fund of the petitioner within the time limit that may be stipulated by this Court.

For Petitioner

: Mr.M.S.Jeyakarthish

For Respondent

: Mr.D.Sivaraman,

Standing Counsel.

ORDER

The prayer sought for herein is for a Writ of Mandamus, to direct the respondent to consider the petitioner's representation dated 11.12.2017 and consequently to grant Provident Fund (Non-Recovery P.F) amount of Rs.2,50,000/- from the accrued provident fund of the petitioner, within the time limit that may be stipulated by this Court.

2.Heard Mr.M.S.Jeyakarthish, learned counsel appearing for the petitioner and Mr.D.Sivaraman, learned Standing Counsel, who takes notice on behalf of the respondent.

3.By consent of both parties, this Writ Petition is taken for final disposal at the stage of admission itself.

4.The learned counsel appearing for the petitioner would submit that the petitioner is working as Technical Worker at the respondent Corporation. Initially, the petitioner was appointed as Conductor at the respondent Corporation on 08.03.1997. He is the only bread winner of the family and his son is studying in B.E. Degree course, his daughter is studying in M.Sc. Degree course. So, the entire educational expenses are made out only out of the earning of the petitioner. While so, the wife of the petitioner suffered with some ailments. Therefore, she has been taking regular treatment, for which some considerable amount was



required to meet out the medical expenses. Therefore, in order to get a sum of Rs.2,50,000/- (Rupees Two Lakhs Fifty Thousand Only) from the Provident Fund account of the petitioner, the petitioner has made a request dated 11.12.2017 by way of representation to the respondent. However, the said request has not been so far considered.

5. Therefore, the learned counsel appearing for the petitioner would submit that if the said representation of the petitioner is directed to be considered, within a time frame on merits and in accordance with law, the petitioner would be satisfied.

6. I have heard the learned Standing Counsel appearing for the respondent, who would submit that the said representation of the petitioner dated 11.12.2017 would be considered on merits and in accordance with law and an order to that effect would be passed, within a time frame that may be stipulated by this Court.

7. Considering the limited scope of the writ petition, this Court is inclined to pass the following order:-

"that the respondent is directed to consider the petitioner's representation dated 11.12.2017 and take a decision thereon as to the eligibility of the petitioner to withdraw the said amount from the Provident Fund account of the petitioner to meet the medical expenses of the wife of the petitioner and accordingly, pass orders thereon, within a period of four weeks from the date of receipt of a copy of this order."

8. With this direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(crl side)

/True Copy/

Sub Assistant Registrar(CS-IV)

To
The Managing Director,
Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Kumbakonam, Thanjavur District.

+1cc to Mr.M.S.Jeyakarthick, Advocate SR.No.74285

+1cc to Mr.D.Sivaraman,, Advocate Sr.No.74182

MYR

VB/KAK/SAR4/11.08.2018/2P/4C