



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 23.07.2018
CORAM :
THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P (MD) No.15974 of 2018

WEB COPY

R.Gajendran

... Petitioner

Vs.

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

... Respondent

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondent to consider the petitioner's representations dated 19.06.2018 and 25.06.2018 and consequently, to grant Provident Fund (Non-Recovery P.F.) amount of Rs.2,00,000/- from the accrued provident fund of the petitioner within the time limit that may be stipulated by this Court.

For Petitioner : Mr.M.S.Jeyakarthik

For Respondent : Mr.D.Sivaraman
Standing Counsel.

ORDER

The prayer sought for in this writ petition is for a Writ of Mandamus, to direct the respondent to consider the petitioner's representations dated 19.06.2018 and 25.06.2018 and consequently, to grant Provident Fund (Non-Recovery P.F.) amount of Rs.2,00,000/- from the accrued provident fund of the petitioner within the time limit that may be stipulated by this Court.

2.Heard Mr.M.S.Jeyakarthik learned counsel appearing for the petitioner and Mr.D.Sivaraman, learned standing counsel appearing for the respondent.

3.The learned counsel appearing for the petitioner would submit that the petitioner was working as a Conductor in the respondent Corporation and two children of him are at present studying in degree courses and also, the petitioner had started construction of a house building and in this regard, he required some amount to be withdrawn from his provident fund account. Therefore, in this regard, he made a request on 19.06.2018 to the respondent Corporation seeking permission to withdraw a sum of Rs.2,00,000/- from the provident fund account of the petitioner and if the said



representation of the petitioner is directed to be considered and an order to that effect with regard to the permission to withdraw the amount is directed to be granted, within a time frame, the petitioner would be satisfied.

4. I have heard the learned standing counsel appearing for the respondent, who would submit that the petitioner's request would be considered by the respondent. However whether the petitioner would be entitled to receive for the amount of Rs.2,00,000/- from his provident fund account is to be decided based on the available amount in his provident fund account and accordingly, permission would be given to withdraw the eligible amount to the petitioner.

5. Considering the said submissions made by both sides, this Court is inclined to pass the following order:

"The respondent is directed to consider the request of the petitioner dated 19.06.2018 and decide the same with regard to the eligibility of the petitioner for withdrawing the amount from the provident fund account for the education expenses of his children and accordingly, pass necessary orders thereon, within a period of four weeks from the date of receipt of a copy of this order."

6. With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar (CS-II)

+1CC to Mr.M.S.Jeyakarthik, Advocate, SR.No. 74391

+1CC to Mr.D.Sivaraman, Advocate, SR.No. 74445

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