



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.08.2018

CORAM

THE HON'BLE MR.JUSTICE S.VAIDYANATHANW.P.(MD) No.18522 of 2018

WEB COPY

M.Prabhakaran

.. Petitioner

Vs.

1.The Chairman,
Employees Provident Fund Trust,
Tamil Nadu State Transport Corporation (Madurai) Limited,
Bye Pass Road,
Madurai.

2.The Executive Trustee,
Employees Provident Fund Trust,
Tamil Nadu State Transport Corporation (Madurai) Limited,
Bye Pass Road,
Madurai.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of mandamus directing the 1st respondent to sanction loan amount of Rs.3,00,000/- from employees contribution in petitioner's E.P.F account within the time limit that may be stipulated by this Court.

For Petitioner : Mr.G.M.Xavier
For Respondent : Mr.A.Jeyaram
Standing Counsel

ORDER

The petitioner has come forward with this writ petition, for issuance of a Writ of mandamus, directing the 1st respondent to sanction loan amount of Rs.3,00,000/- from employees contribution in petitioner's E.P.F account within the time limit that may be stipulated by this Court.

2.According to the petitioner, he served for 28 years. On account of old age treatment of his mother, the petitioner requires Rs.3,00,000/- from his Employees Contribution account.

3.The learned Standing Counsel for the respondents submitted that whether the petitioner is entitled to Rs.3,00,000/- from the Employee' Contribution Fund is doubtful.

4.In reply, the petitioner submitted that he has not availed any loan upto this date and now, he wants the loan only for the treatment of his mother.



5. Taking note of the submission of both sides, this Court is of the view that the request of the petitioner shall be considered and the respondents shall sanction the eligible amount by way of loan to the petitioner, if the petitioner fulfils other norms. Even though the petitioner has stated in his representation, that he has spent several lakhs for the treatment of his mother, there is no iota of evidence produced before this Court. Hence, it is open to the respondents to ascertain from the documents pertaining to the treatment of his mother and the eligibility of the petitioner to avail loan from Employees' Contribution account and then sanction the eligible amount, within a period of one month from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar (CS-II)

+1CC to Mr.A.Jeyaram, Advocate, SR.No.80965

W.P. (MD) No.18522 of 2018
27/08/2018

VS

ES/SV/SAR 2/03.10.2018/2P/2C