



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:27.11.2018

CORAM:

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THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

W.P.(MD) No.20178 of 2018

H.Christopher Ebenezer

... Petitioner

vs.

1.The Chairman

Tamil Nadu State Transport Corporation Ltd.,
Secretariat, Chennai-600 009.

2.The Managing Director,

Tamil Nadu State Transport Corporation Ltd.,
Tirunelveli & Nagercoil Zones,
KTC Nagar, Tirunelveli 627 011.

3.The General Manager (Operations),

Tamil Nadu State Transport Corporation Ltd.,
Tirunelveli Zone, Vannarpet,
Tirunelveli-627 003.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of Certiorarified Manadamus, to call for the records pertaining to the order passed by the third respondent in his proceedings in Ka.No.6522/Va.Vai I/Tha.A.Po.Ka/Thili/2018 dated 02.08.2018 and quash the same and direct the respondents to grant 90% of part final withdrawal from the petitioner's G.P.F accumulation forthwith as per 27-A of the General Provident Fund (Tamil Nadu) Rules.

For Petitioner :Mr.V.Panneer Selvam

For R-1 :Mr.J.Gunaseelanmuthiah,
Additional Government Pleader.

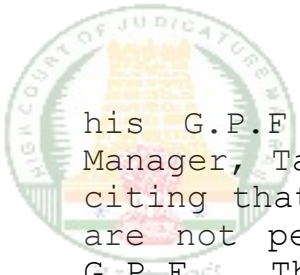
For R-2 and R-3 :Mr.K.Sathiya Singh

ORDER

Heard the learned counsel appearing for the petitioner, the learned Additional Government Pleader appearing for the first respondent and the learned Standing counsel appearing for the respondents 2 and 3.

<https://hcservices.ecourts.gov.in/hcservices/>

2.The petitioner herein has sought for part final payment of



his G.P.F contribution which has been rejected by the General Manager, Tamil Nadu State Transport Corporation Limited, Tirunelveli citing that due to the financial conditions of the corporation they are not permitted to withdraw 90% of part final payment of the G.P.F. The said reason per se illegal and against the statute.

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3.Hence, this Writ Petition is allowed. The impugned order dated 02.08.2018 is quashed. The petitioner who is likely to attain the superannuation on 31.12.2018 is to be paid the part final withdrawal of the G.P.F accumulation in his account on or before 20.12.2018 and the other benefits should be settled within a period of two months from the date of his retirement. No costs.

Sd/-

Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar(CS-I)

To:

- 1.The Chairman
Tamil Nadu State Transport Corporation Ltd.,
Secretariat, Chennai-600 009.
- 2.The Managing Director,
Tamil Nadu State Transport Corporation Ltd.,
Tirunelveli & Nagercoil Zones,
KTC Nagar, Tirunelveli 627 011.
- 3.The General Manager (Operations),
Tamil Nadu State Transport Corporation Ltd.,
Tirunelveli Zone, Vannarpet,
Tirunelveli-627 003.

+1cc to Mr.V.Panneer Selvam Advocate in SR.No.97458
+1cc to Mr.K.Sathiya Singh Advocate in SR.No.97739

W.P.(MD) No.20178 of 2018
27.11.2018

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