

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 01.04.2019

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN**W.P (MD) No.7718 of 2019**

V.Kalaiselvan

... Petitioner

Vs.

The Chairman,
Employees Provident Fund Trust,
Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Trichy Region,
27, New Railway Station Road,
Kumbakonam.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, directing the respondent to sanction the non-refundable amount of Rs.1,60,000/- from employees share amount in petitioner's E.P.F account after considering his application, dated 05.07.2018 within the time limit fixed by this Court.

For Petitioner : Mr.G.M.Xavier

For Respondent : Mr.P.Balasubramanian

ORDER

This writ petition has been filed seeking issuance of a writ of Mandamus, to direct the respondent to sanction the non-refundable amount of Rs.1,60,000/- from the petitioner's E.P.F account, after considering his application, dated 05.07.2018 within the time limit fixed by this Court.

2.Heard Mr.G.M.Xavier, learned counsel appearing for the petitioner and Mr.P.Balasubramanian, learned counsel, who takes notice for the respondent. By consent, the Writ Petition is taken up for disposal at the admission stage itself.

3.The case of the petitioner is that he is working as a Technical Helper in the respondent Corporation. Since his wife was suffering from Chronic Heart Disease, he is in need of Rs.2,00,000/- for medical expenses. Hence, he appeared in person on 05.07.2018 before the respondent and also submitted an



application to sanction the non-refundable amount of Rs.2,00,000/- from the employees share amount on his Provident Fund account. On 15.01.2019, the respondent sanctioned only Rs.40,000/- and failed to disburse the remaining amount till date. Aggrieved by the same, the petitioner has filed the present Writ Petition.

4.The learned counsel appearing for the respondent fairly submitted that the application submitted by the petitioner would be considered by the respondent on merits.

5.In view of the above submission, this Court, without going into the merits of the petitioner's claim, directs the respondent to consider the petitioner's application, dated 05.07.2018, with regard to sanction of the remaining non-refundable amount, and pass appropriate orders, on merits and in accordance with law, after affording due opportunity of hearing to the petitioner, within a period of eight weeks from the date of receipt of a copy of this order.

6.With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (w)

// True Copy //

Sub Assistant Registrar (CS)

To

The Chairman,
Employees Provident Fund Trust,
Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Trichy Region,
27, New Railway Station Road,
Kumbakonam.

+1 CC to M/s.P.BALASUBRAMANIAN, Advocate (SR-58158[F] dated 01/04/2019)

+1 CC to M/s.G.M.XAVIER, Advocate (SR-58252[F] dated 02/04/2019)

ps

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01.04.2019

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