



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **18.12.2019**

CORAM:

THE HONOURABLE **MR. JUSTICE M. S. RAMESH**

W.P.(MD)No.25802 of 2019

and

W.M.P(MD) No.22331 of 2019

K.Sekar

... Petitioner

/vs./

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

2.The Assistant Manager,
Employees Provident Fund,
Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Employees Provident Fund Trust,
Kumbakonam. ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records relating to the impugned order passed by the second respondent in TNSTC/Kum/Legal/L2/699/2019 dated 18.07.2019, quash the same and consequently to direct the first respondent to sanction EPF loan of Rs.3 Lakhs on his EPF account within a time frame as may be fixed by this Court and award cost.

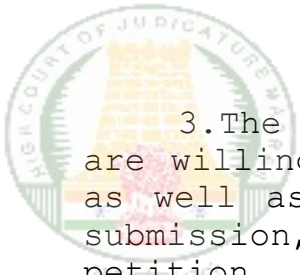
For Petitioner
For Respondents

: Mr.G.M.Xavier
: Mr.P.Balasubramanian,
Standing Counsel.

ORDER

When the petitioner's earlier application dated 03.10.2018 seeking for sanction of loan of Rs.3,00,000/- from the employees contribution in EPF account was kept pending, on a writ petition filed by the petitioner, this Court, by an order dated 02.11.2018 passed in W.P(MD)No.22417 of 2018, directed the respondent to consider the petitioner's application within a period of two months. In view of the non-consideration, a contempt petition also came to be filed in Cont.P(MD)No.699 of 2019. During the pendency of the contempt petition, it was represented by the respondent that the petitioner had not submitted certain documents in support of his application, inspite of the reminder and therefore, had rejected the application, vide impugned order dated 18.07.2019. Challenging the same, the present writ petition is filed.

2.The learned Standing Counsel appearing for the respondent would submit that as per the Provident Fund Rule governing the Corporation, the petitioner can seek for EPF loan for the purpose of construction and dwelling house only.



3.The learned counsel for the petitioner would submit that they are willing to make a fresh application by complying with the rule as well as furnishing the supporting documents. In view of such submission, no effective order can be passed in the present writ petition.

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4.By granting liberty to the petitioner to make a fresh representation to the respondents seeking for EPF loan, this Writ Petition is closed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Cp

+1 CC to M/s.P.BALASUBRAMANIAN, Advocate (SR-105942[F] dated 19/12/2019)

+1 CC to M/s.G.M.XAVIER, Advocate (SR-106277[F] dated 20/12/2019)

SMA/06/01/2020/2P/3C

Order made in
W.P. (MD) No.25802 of 2019
and
W.M.P (MD) No.22331 of 2019
Dated:
18.12.2019