

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Date : 07-10-2020

CORAM:

THE HON'BLE MR. JUSTICE R.SURESH KUMAR

W.P.No.13860 of 2020

A.Duraisamy

... Petitioner

-vs-

The General Manager (Provident Fund Section)
Tamil Nadu State Transport Corporation
(Coimbatore Division) Ltd.,
37, Mettupalayam Road,
Coimbatore - 641 043.

.. Respondent

Writ petition filed under Article 226 of Constitution of India praying for issuance of a Writ of Mandamus, directing the respondent to consider and dispose the petitioner representations dated 04.09.2020 and 07.09.2020 to pay the amount a sum of Rs.7,00,000/- for marriage expenses of petitioner's elder daughter which is lying in the petitioner's Provident Fund Account No.013343 within a time limit.

For Petitioner : Mr.Y.George William

For Respondent : Mr.A.Sundaravadhanam
Standing counsel

ORDER

This writ petition has been filed seeking for a writ of mandamus directing the respondent to consider and dispose the petitioner's representations dated 04.09.2020 and 07.09.2020 to pay a sum of Rs.7,00,000/- for marriage expenses of his elder daughter which is lying in the petitioner's Provident Fund Account No.013343.

2. The petitioner has been working as a Conductor at the respondent Transport Corporation since 1987. He has already completed 33 years of service, still he has to go for four more years to reach the superannuation. At this juncture, the

petitioner has fixed marriage for his daughter one Dharani which would be performed on 29.10.2020. In order to meet the marriage expenses, the petitioner wanted a sum of Rs.7,00,000/-, which according to the petitioner, accrued in his PF Account. Accordingly, he has given a representation on 04.09.2020 to the respondent-Transport Corporation. Therefore the learned counsel for the petitioner at this juncture would submit that, if the said request is directed to be considered by the respondent-Transport Corporation and accordingly whatever the eligible amount from the PF Account of the petitioner, if that amount is directed to be disbursed within a shortest possible period enabling the petitioner to utilise the said amount for the performance of the marriage of his daughter, the petitioner would be satisfied.

3. Heard Mr.A.Sundaravadhanam, learned Standing counsel appearing for the respondent who would submit that, due to COVID-19 situation the buses were not operated for nearly about 4 or 5 months by the respondent Transport Corporation, therefore there has been a severe financial crisis, however since the petitioner seeks indulgence from the respondent to release the eligible amount payable to the petitioner from his PF Account, in order to meet out the marriage expenses of his daughter, that would definitely be given priority and accordingly within a shortest possible time, the said request of the petitioner would be considered and accordingly, the eligible amount from the PF Account would be calculated and disbursed.

4. I have considered the said submissions made by the learned counsel appearing for both sides.

5. Having regard to the said submission made by both the learned counsels and having regard to the said factual matrix of this case, this Court is inclined to pass following order in this writ petition :

(a) that the respondent-Transport Corporation is hereby directed to consider the representation of the petitioner dated 04.09.2020 along with the copy of the marriage invitation of the daughter of the petitioner which is slated to be conducted on 29.10.2020, also, since been annexed, and accordingly calculate the eligible amount payable to the petitioner, for meeting out the marriage expenses, from out of the PF Account of the petitioner and accordingly, disburse the said amount to the petitioner within a period of two weeks from today.

(b) Since the said PF amount is required to meet out the very important expenses, i.e., marriage expenses of the daughter of the petitioner, the aforesaid time line shall be strictly adhered to by the respondent-Transport Corporation without any deviation.

6. With these directions, this writ petition is disposed of. No costs.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

tsvn

To

The General Manager (Provident Fund Section)
Tamil Nadu State Transport Corporation
(Coimbatore Division) Ltd.,
37, Mettupalayam Road,
Coimbatore - 641 043.

+1 cc to Mr.R.Y.George Williams Advocate sr32982

+1 cc to M/s.A.Sundaravadhanam Advocate sr32944

W.P.No.13860 of 2020

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