

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.12.2020

CORAM

THE HON'BLE MR.JUSTICE R.SURESH KUMAR

W.P.NO.16351 OF 2020

A.Murugavelu

... Petitioner

-Vs-

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

2. The Branch Manager,
Tamil Nadu State Transport Corporation
Ukkadam Branch No.II
Coimbatore District.

... Respondents

Prayer :

Writ Petition under Article 226 of the Constitution of India praying for the issue of a Writ of Mandamus to direct the respondents to sanction provident fund loan to the petitioner considering his application No.11131 dated 29.09.2020 and representation dated 14.10.2020 to pay the amount a sum of Rs.5,00,000/- for the petitioner's daughter's marriage expenses which is lying in the petitioner's provident fund account within a time frame as fixed.

For Petitioner : Mr.A.Saravanan

For Respondents : Mr.A.Sundaravadhanam,
Standing Counsel

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O R D E R

The prayer sought for in this writ petition is to direct the respondents to sanction provident fund loan to the petitioner considering his application No.11131 dated 29.09.2020 and representation dated 14.10.2020 to pay the amount a sum of Rs.5,00,000/- for the petitioner's daughter's marriage expenses which is lying in the petitioner's provident fund account within a time frame as fixed.

2. The petitioner has been working as an employee (conductor) in the respondent Corporation for the past more than 29 years. Since he has become permanent employee, there has been a Provident Fund Account opened in his name, where contributions have been made, which according to the petitioner, has accrued to an extent of more than Rs.10 lakhs.

3. In that circumstances, the petitioner has fixed the marriage of his daughter to be conducted on 29.10.2020. In order meet out the expenses for the marriage of his daughter, the petitioner wanted to take a sum of Rs.5,00,000/- from the Provident Fund Account, for which he has made a request/representation to the respondent Corporation on 14.10.2020. However, the same has not been considered and even till the marriage was solemnized on 29.10.2020 as fixed, no consideration had been shown by the respondent Corporation. Therefore, the petitioner had no other option except to meet out the marriage expenses by availing hand loan by paying heavy interest and therefore, in order to repay the said loan which was availed by the petitioner to meet out the marriage expenses, the petitioner is in urgent need of Rs.5,00,000/- from his Provident Fund Account and seeks the indulgence of this Court to direct the respondents to sanction the provident fund loan to the petitioner.

4. Heard the learned counsel for the petitioner, who has reiterated the aforesaid facts. I have also heard Mr.A.Sundaravadhanam, learned Standing Counsel for the respondent Corporation, who would submit that, since it is marriage expenses to be incurred by the petitioner, for which he is entitled to get the eligible amount from his Provident Fund Account and therefore in this context the respondent Corporation would certainly consider the request made by the petitioner in this regard dated 14.10.2020 on merits and accordingly the eligible amount payable to the petitioner to meet the marriage expenses certainly would be calculated and be paid within a time frame that may be stipulated by this Court.

5. Having considered the submissions made by the learned counsel for the parties and after perusal of the documents produced before this Court, I am inclined to dispose of this writ petition with the following order.

6. That the respondent Corporation shall consider the representation of the petitioner dated 14.10.2020, accordingly calculate the eligible amount payable to the petitioner out of his Provident Fund Account to meet the marriage expenses of the daughter of the petitioner, which of course has already been solemnized on 29.10.2020, thereby the petitioner can meet such expenses for which he has allegedly availed loan from various

sources and such indulgence shall be shown by the respondent Corporation within a period of four weeks from the date of receipt of a copy of this order. Accordingly the amount eligible to be paid to the petitioner shall be disbursed by then.

7. With the above directions, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

KST

To

1. The General Manager (Provident Fund Section)
Tamilnadu State Transport Corporation
37, Mettupalayam Road, Coimbatore Division
Coimbatore - 641 043.
2. The Branch Manager,
Tamil Nadu State Transport Corporation
Ukkadam Branch No.II
Coimbatore District.

+1cc to Mr.A.Sundaravadhanam, Advocate in sr.no.39105

W.P.No.16351 of 2020

AJS(CO)
CS/04/12/2020

सत्यमेव जयते

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