

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.12.2020

CORAM

THE HON'BLE MR.JUSTICE R. SURESH KUMAR

W.P.No.18794 of 2020

D.Saravana Kumar

...Petitioner

-Vs-

- 1.Tamilnadu State Transport Corporation
(Coimbatore) Ltd.,
Rep by The Managing Director,
37, Mettupalayam
Coimbatore-43.
- 2.The Chief Financial Advisor & Chief Accounts
Officer, Tamilnadu State Transport Corporation
(Coimbatore) Ltd., 37, Mettupalayam Road
Coimbatore-43.
- 3.The General Manager,
Tamilnadu State Transport Corporation (Coimbatore)
Ltd., 37, Mettupalayam Road, Coimbatore-43.
- 4.The Deputy Manager, Trust Account and Settlement
Section, Tamilnadu State Transport Corporation
(Coimbatore) Ltd., 37, Mettupalayam Road
Coimbatore-43.

...Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issue of a Writ of Mandamus directing the respondents to sanction and pay the petitioner forthwith a sum of Rs.2,10,000/- as non-refundable advance from out of the employees contribution standing to the credit of his PF Account No.018730, so as to meet the cost and expenses of the emergency surgery to be done for his father aged 82 years for knee replacement, as per his loan application dated 17.09.2020 and petitioner's representation dated 29.09.2020.

For Petitioner : Mr.V.Ajoy Khose

For Respondents : Mr.A.Sundaravadhanam

O R D E R

The prayer sought for herein is to direct the respondents to sanction and pay the petitioner forthwith a sum of Rs.2,10,000/- as non-refundable advance from out of the employees contribution standing to the credit of his PF Account No.018730, so as to meet the cost and expenses of the emergency surgery to be done for his father aged 82 years for knee replacement, as per his loan application dated 17.09.2020 and petitioner's representation dated 29.09.2020.

2. The petitioner is an employee of the respondent State Transport Corporation (Coimbatore) Limited and since he is a permanent employee, in his Provident Fund Account, there has been enough savings, which the employee can utilize for the purpose of marriage, medical and educational expenses of his family members. That is the scheme formulated by the Transport Corporation, in which the petitioner employee is a member.

3. In this context, the petitioner / employee, in order to meet the medical expenses to be incurred in the surgery to be undertaken for his father, has made an application on 17.09.2020 to the respondent Transport Corporation to sanction a sum of Rs.2,10,000/- to meet out the medical expenses from the PF Account of the petitioner and the said application, though has been subsequently reminded by the petitioner, has not so far been considered by the respondent Corporation. Therefore, in order to seek the indulgence of this Court towards giving a direction to the respondent Corporation to sanction the PF amount, the petitioner has approached this Court by way of this writ petition with the aforesaid prayer.

4. Heard the learned counsel for the petitioner, who reiterated the above and would submit that since the petitioner is entitled to get the amount claimed through the application, the sanction has to be made by the respondent at the earliest.

5. Heard Mr.A.Sundaravadhanam, learned counsel appearing for the respondent Corporation, who would submit that, whatever the amount to which the petitioner is eligible, as claimed by him through the application to meet out the medical expenses of the petitioner's father, the same would be considered and accordingly sanction would be made within the time frame that may be stipulated by this Court.

6. I have considered the said submissions made by the learned counsel for the parties and have perused the materials placed before this Court.

7. In that view of the matter, this Court is inclined to

dispose of this writ petition with the following order.

8. That the respondent Corporation shall consider the application submitted by the petitioner dated 17.09.2020 and after verifying or calculating the eligibility of the petitioner as to the quantum of amount as has been claimed by him from the PF Account to meet out the medical expenses, the same shall be sanctioned and disbursed to the petitioner within a period of three weeks from the date of receipt of a copy of this order.

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

Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar

KST

To

1. Tamilnadu State Transport Corporation
(Coimbatore) Ltd.,
The Managing Director,
37, Mettupalayam
Coimbatore-43.
2. The Chief Financial Advisor & Chief Accounts
Officer, Tamilnadu State Transport Corporation
(Coimbatore) Ltd., 37, Mettupalayam Road
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(Coimbatore) Ltd., 37, Mettupalayam Road
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+1cc to Mr. Ajoykhose, Advocate SR.No.41354

W.P.No.18794 of 2020

KK(CO)
RN(18/12/2020)