

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 16.12.2020

CORAM:

THE HON'BLE MR. JUSTICE R.SURESH KUMAR

W.P.NO.19037 OF 2020

R.Govindarajan

...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,
Tamilnadu State Transport Corporation,
Ukkadam Branch No.II,
Coimbatore District.

...2nd respondent

Prayer : Petition filed under Article 226 of Constitution of India praying for issuance of a Writ of Mandamus to direct the respondents to sanction Provident Fund loan to the petitioner considering his application No.11136 dated 07.11.2020 and representation dated 07.12.2020 to pay the amount a sum of Rs.4,00,000/- for the petitioner daughter's marriage expenses, which is lying in the petitioner's Provident Fund Account within a time frame fixed by this Court.

For Petitioner : Mr.A.Saravanan

For Respondents : Mr.A.Sundaravadhanam,
Standing Counsel

ORDER

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.11136 dated 07.11.2020 and representation dated 07.12.2020 to pay a sum of Rs.4,00,000/- for his daughter's marriage expenses, which is lying in the petitioner's Provident Fund Account within a time frame fixed by this Court.

2.The petitioner is an employee of the respondent Transport Corporation. Since he is a permanent employee, he has been continuously making contributions towards Provident Fund, accordingly, considerable amount has been accrued in his Provident Fund account.

3.In this context, it is the case of the petitioner that, the petitioner has fixed the marriage of his daughter, which was scheduled to be conducted on 26.11.2020. Therefore, in order to meet out the marriage expenses of his daughter, the petitioner had applied to the respondent Transport Corporation by application dated 07.11.2020 for a sum of Rs.4,00,000/- from the Provident Fund account and the said application was kept pending and not considered and since the marriage fixed to the daughter of the petitioner was nearing closer, the petitioner has repeatedly requested the authorities to release the amount claimed, through PF account, however, the same has not been considered.

4.In the meanwhile, since the marriage date had also come, in order to meet the marriage expenses, the petitioner was able to arrange hand loan from his friends, relatives and well-wishers and accordingly even after marriage, the petitioner had given another representation on 07.12.2020 reiterating the said request/application made already by him dated 07.11.2020 for realisation of the amount from PF account. However, none of the application or representation submitted by the petitioner since have been considered and the petitioner is in urgent need of pay back to meet out the marriage expenses of his daughter, which was also solemnised on 26.11.2020, he filed this writ petition seeking the aforesaid relief as prayed for.

5.The learned counsel appearing for the petitioner has reiterated the aforesaid facts and seeks indulgence of this Court.

6.Heard Mr.A.Sundaravadhanam, learned Standing Counsel appearing for the respondent Transport Corporation, who would submit that, the said application made by the petitioner dated 07.11.2020, followed by the representation dated 07.12.2020 of the petitioner, would be considered on merits and whatever the eligible amount from the PF account for the petitioner, the same would be calculated and be paid within a time frame that may be stipulated, enabling the petitioner to meet out the marriage expenses, which has already completed, by availing the loan from various sources, as claimed by him.

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

8. Admittedly, there has been a PF account in the name of the petitioner, who is an employee of the respondent Transport Corporation. Out of the said PF account, since he sought for Rs.4,00,000/- amount to meet out the marriage expenses of his daughter, which claim from the PF account, ought to have been considered and the said amount should have been paid well in time before the marriage, which was solemnised on 26.11.2020.

9. But at any rate, now the learned Standing Counsel appearing for the respondent Transport Corporation has come forward to make a statement that, the application of the petitioner dated 07.11.2020 and the representation dated 07.12.2020 would be considered on merits and accordingly, the eligible amount would be calculated and paid to the petitioner within a time frame. Taking into account of the said stand taken by the respondents through the learned Standing Counsel appearing for the Transport Corporation, this Court is inclined to dispose of this writ petition with the following orders.

That the respondent Transport Corporation shall process the application of the petitioner dated 07.11.2020 followed by the representation dated 07.12.2020 and accordingly whatever be the eligible amount payable to the petitioner from his PF account for meeting out the expenses of the marriage of the petitioner's daughter, by calculating the said amount, disburse the same within a period of thirty days from the date of receipt of a copy of this order.

10. With these directions, this writ petition is ordered accordingly. However, there shall be no order as to costs.

Sd/-

Assistant Registrar (CS III)

//True Copy//

Sub Assistant Registrar

Sgl

To

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

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

+1cc to Mr.A.Saravanan, Advocate, S.R.No.41466

W.P.No.19037 of 2020

KKV/21/12/2020



WEB COPY