



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.11.2020

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THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.P(MD).No.16603 of 2020

WEB COPY

V.Kosalai

... Petitioner

Vs.

The Block Educational Officer -II,
Kovilpatti,
Thoothukudi District.

... Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus to call for the records pertaining to the order passed by the respondent in his proceedings Aa.Thi.Mu.No.985/A4/2020, dated 09.10.2020 and quash the same and direct the respondent to sanction the T.P.F. part final of Rs.5 lakhs from her T.P.F. Account immediately.

For Petitioner : Mr.V.Panneer Selvam
For Respondent : Mr.A.Thiagarajan
Government Advocate

O R D E R

This writ petition is filed challenging the order passed by the respondent in Aa.Thi.Mu.No.985/A4/2020, dated 09.10.2020 and to quash the same and consequently, direct the respondent to sanction the T.P.F. part final of Rs.5,00,000/- from her T.P.F. Account immediately.

2. The grievance of the petitioner is that more than Rs.30,00,000/- is available with her Teachers Provident Fund Account and she made an application for withdrawal of Rs.5,00,000/-, out of the said amount, on 01.10.2020, to meet out the expenses of her son, who is studying in 4th year B.E. However, the respondent has returned the application for want of 2019-2020 TPF Account slip.

3. Mr.A.Thiagarajan, learned Government Advocate appearing for the respondent would submit that the respondent has not rejected the application but he asked for certain particulars and if the particulars are furnished by the petitioner, the amount of Rs.5,00,000/- will be released.

4. On the other hand, the learned counsel appearing for the
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petitioner would submit that all these particulars are very much available with the respondent and there is nothing required to be furnished on the part of the petitioner.

5. This Court has heard the learned counsel appearing for the petitioner, the learned Government Advocate appearing for the respondent and perused the materials placed before this Court.

6. The respondent, who is maintaining the T.P.F. Account, must have all the details about the receipt of the amount from the petitioner. Therefore, there is no need for the petitioner to send the TPF Account Slip for the year 2019-2020. At any cost, the total amount available with the respondent is Rs.30,00,000/-. Out of Rs.30,00,000/-, the petitioner has asked only for Rs.5,00,000/- as a part final withdrawal. I do not find any impediment for the respondent to permit the petitioner to withdraw a sum of Rs.5,00,000/-, that too really surprising why the respondent not maintaining all these particulars and seeking the very same particulars, which are available with him, from the petitioner. The way in which the Officer asking the particulars from the petitioner would show the inefficiency of the respondent to maintain the TPF Account.

7. Considering the facts and circumstances of the case, this Court directs the respondent to permit the petitioner to withdraw a sum of Rs.5,00,000/- out of her own TPF Account, in which a sum of Rs.30,00,000/- is available, within a period of one week from the date of receipt of a copy of this order.

8. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (Crl Side)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To

The Block Educational Officer -II,
Kovilpatti,
Thoothukudi District.

+1 CC to M/s.GP (SR-22659[F] dated 24/11/2020)

W.P (MD) .No.16603 of 2020

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<https://hservices.courtsgo24.com/services> **KK(26.11.2020) 2P 3C**