



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.12.2020

CORAM:

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

Writ Petition (MD)No.17712 of 2020

P.Rajendran

... Petitioner

Vs.

1. The Managing Director,
Tamil Nadu State Transport Corporation (Madurai)
Limited,
Bye-Pass Road,
Madurai 625 016.

2. The General Manager,
Tamil Nadu State Transport Corporation (Madurai)
Limited,
Bye-Pass Road,
Madurai 625 016.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents to sanction the loan amount of Rs.4,00,000/- from the petitioner's E.P.F. Account within the stipulated time.

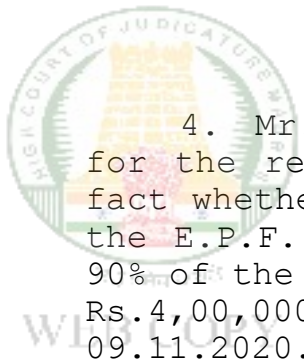
For Petitioner	: Mr.K.Gokul
For Respondents	: Mr.G.Senthil Kumariah Standing counsel for TNSTC

O R D E R

By consent, the writ petition is taken up for final disposal.

2. This writ petition has been filed for a direction to the respondents to disburse the loan amount of Rs.4,00,000/-, out of the petitioner's E.P.F. Account No.5418, by considering the petitioner's representation, dated 09.11.2020.

3. The learned counsel appearing for the petitioner submitted that the marriage of the petitioner's daughter has been fixed on 18.01.2021. Therefore, he urgently needs the loan. Though he has given a representation dated 09.11.2020, to the respondents, no action has been taken by the respondents to disburse the loan amount of Rs.4,00,000/-.



4. Mr.G.Senthil Kumariah, learned Standing counsel appearing for the respondents fairly submitted that he was not aware of the fact whether the petitioner has availed 90% of the loan amount from the E.P.F. Account earlier or not. In case, if he has not availed 90% of the E.P.F. amount, then they will disburse the loan amount of Rs.4,00,000/-, as per the representation of the petitioner dated 09.11.2020.

5. Heard the learned counsel for the petitioner, learned Standing counsel appearing for the respondents and perused the materials available on record.

6. As per the provisions of the Provident Fund Act, the petitioner is entitled for loan up to 90%. In the present case, as contended by the learned Standing counsel for the respondents, no particulars have been furnished by the petitioner with regard to how much amount is available with the E.P.F. Account and if any amount already issued by way of loan from the E.P.F. Account.

7. In such circumstances, as stated by the learned Standing counsel, this Court directs the respondents to disburse the eligible loan amount, as requested by the petitioner in the representation dated 09.11.2020, within a period of three weeks from the date of receipt of a copy of this order. It is made clear that the respondents shall consider the same, depending upon the eligible amount of 90% available in the E.P.F. Account.

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

Sd/-

Assistant Registrar (P&A)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Akv

Note:

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



To

1. The Managing Director,
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Limited,
Bye-Pass Road,
Madurai 625 016.

2. The General Manager,
Tamil Nadu State Transport Corporation (Madurai)
Limited,
Bye-Pass Road,
Madurai 625 016.

+1 CC to Mr.K.GOKUL, Advocate (SR-24185[F] dated 07/12/2020)

W.P. (MD) No.17712 of 2020
04.12.2020

NS (CO)
CS (09.12.2020) 3P 4C