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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.12.2021

CORAM:

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

W.P.NO.23047 OF 2021

A.Karunanithi

... Petitioner

.Vs.

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

... Respondents

PRAYER:-

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the Respondents to pay the petitioner forthwith a sum of Rs.3,50,000/- towards the balance non-refundable PF advance from out of his employee contribution which is standing to the credit of his PF Account No.016617, in order to discharge and repay the



loan amounts which he has borrowed from his friends and relatives on interest to meet out the marriage expenses of the petitioner daughter which was already held on 09.12.2020, based on his application for PF loan dated 30.10.2020, award costs.

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For Petitioner : Mr.V.Ajoy Khose

For Respondents 1 to 4 : Mr.A.Sundaravadanam

O R D E R

This Writ Petition has been filed to direct the respondent Corporation to pay a sum of Rs.3,50,000/- towards the balance non-refundable provident fund advance amount from the petitioner's own contribution which is standing to his credit.

2. According to the learned counsel for the petitioner, the petitioner is working as a driver and has performed his daughter's wedding recently, for which, he has incurred a sizeable expenditure. Therefore, he had submitted an application seeking non-refundable provident fund advance amount to the tune of Rs.4,00,000/- to defray the expenses incurred by him to perform his daughter's wedding. However, without releasing the amount sought by the petitioner, only Rs.50,000/- was sanctioned eventually. Therefore, the petitioner is before this Court seeking directions of payment of balance Rs.3,50,000/- from his non-refundable provident fund contribution.

3. Notice is ordered and the learned counsel appearing for the respondent-Corporation would submit that if direction is issued by this Court to release the admissible provident fund amount, pending result of the writ petition, the same will be duly complied.

4. In view of the above submissions of the learned counsel for the respondent Corporation and also taking into consideration, the need of the petitioner for compensating the expenditure incurred by him and also the fact that what he is asking is only his own contribution standing to his credit towards the provident fund account, the Writ Petition is disposed of with the following direction:

(i) The respondent Corporation is directed to release the admissible provident fund amount standing to the credit of the petitioner, after adjusting Rs.50,000/- which is already paid, within a period of two weeks from the date of receipt of a copy of this order and



(ii) The respondent Corporation shall also ensure that the petitioner is duly paid a sizeable amount as he claim to have expended more than Rs.7,00,000/- for his daughter's wedding.

5. Accordingly, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

sli/vm

To

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+1cc to Mr.V.Ajoy Khose, Advocate, S.R.No.68475

W.P.No.23047 of 2021

SR(CO)
PBS/06/01/2022