



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.01.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.501 of 2021

K.Rengan

...Petitioner

Vs.

- 1.The Managing Director,
Tamil Nadu State Transport Corporation,
Kumbakonam Region,
Kumbakonam,
Thanjavur District.
- 2.The General Manager,
Tamil Nadu State Transport Corporation,
Pudukottai Region,
Pudukottai.
- 3.The Regional Provident Fund Commissioner,
Employees Provident Fund Organization,
Trichy Region, Trichy.
- 4.The Assistant Provident Fund Commissioner,
Employees Provident Fund Organization,
Sub Regional Office, Kumbakonam,
Thanjavur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to provide 50% of money from his Employees Provident Fund in EPF No.18158 and the code number allotted by EPFO is TN/6929/10599 by consider the representation of the petitioner dated 13.07.2020 and 09.12.2020.

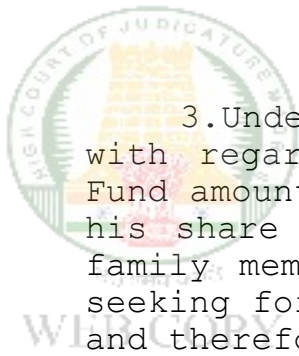
For Petitioner: Mr.R.Mohana Sundaram

For Respondents: Mr.D.Sivaraman for R1 and R2
Standing Counsel

O R D E R

Heard Mr.R.Mohanasundaram, learned counsel for the petitioner and Mr.D.Sivaraman, learned Standing Counsel appearing for the respondents 1 and 2.

2.By consent of the counsel for the petitioner and the respondents 1 & 2, this writ petition is taken up for final disposal at the stage of admission itself. Since the directions issued in the present order does not concerns the respondents 3 & 4, notice to them is dispensed with.



3.Under the Regulations governing the respondent Corporation with regard to the partial withdrawal of the Employees Provident Fund amount, the employee would be entitled for withdrawal of 50% of his share of contribution to E.P.F for marriage expenses of their family members. In this connection, the petitioner's application seeking for 50% withdrawal has not been acted upon by the respondent and therefore, the present writ petition has been filed.

4.Today when the matter was listed, Mr.D.Sivaraman, learned Standing Counsel admitted that pursuant to the petitioner's application, the respondent Corporation had paid a sum of Rs.88,000/- on 12.01.2021 and that they will be to pay a balance amount of the employee's share of contribution of EPF, restricted to 50%, after adjusting the amount of Rs.88,000/-, which has already been paid.

5.The learned counsel for the petitioner submits that the petitioner's daughter's marriage has been fixed to be conducted on 25.02.2021 and that they are in urgent need of the money. In the light of the new Regulations governing withdrawal of EPF, permitting the employee to withdraw his share of EPF and submissions made by the learned Standing Counsel for the respondents 1 & 2 , there shall be a direction to the respondents to pay 50% of the balance amount of the petitioner's share of contribution to EPF, after adjusting the amount of Rs.88,000/- already paid to him on 12.01.2021. Such an exercise of payment of the EPF, shall be made within a period of one week from the date of receipt of a copy of this order.

6.This writ petition stands allowed accordingly. No costs.

Sd/-

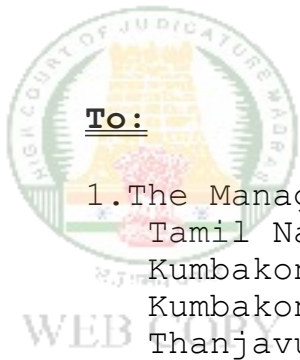
Assistant Registrar (RTI Act)

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/ /2021

Sub Assistant Registrar(CS)

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:

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+1 CC to M/s.D.SIVARAMAN, Advocate (SR-2068[F] dated 25/01/2021)

+1 CC to M/s.R.MOHANA SUNDARAM, Advocate (SR-1961[F] dated
25/01/2021)

W.P. (MD) No.501 of 2021

25.01.2021

AC (CO)

NR (27/01/2021) 3P : 7C