



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **03.02.2021**

CORAM

THE HONOURABLE MR.JUSTICE **M.S.RAMESH**

W.P(MD) No.1739 of 2021

WEB COPY
P.Chandran

.. Petitioner

Vs

The Managing Director / Executive Trusty,
Tamil Nadu State Transport Corporation (Madurai) Limited,
Employees Provident Fund Trust,
Tamil Nadu State Transport Corporation (Madurai) Limited,
Madurai.

.. Respondent

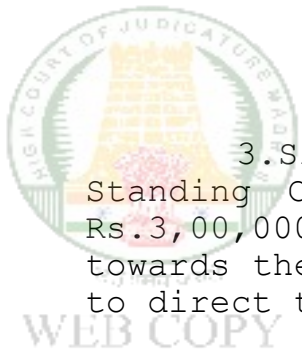
PRAYER:Writ Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus, directing the respondent to pay the petitioner advance amount of Rs.6,00,000/- from the accumulation of employee's contribution stood in his E.P.F Account No.6283 forthwith.

For Petitioner: Mr.S.Arunachalam
For Respondent: Mr.T.Senthil Kumaraiah,
Standing Counsel

ORDER

The petitioner herein is a Conductor in the respondent Corporation. The provisions of the Employees Provident Act are applicable to the respondent Corporation and accordingly, the petitioner has been contributing to the Employees Provident Fund Trust. It is claimed by the petitioner that he had conducted his daughter's marriage in the year 2016 and in connection with the said marriage, he had incurred huge outstanding loans and hence he had sought for release of a portion of the Employees Provident Fund to meet out his outstanding dues. Since his request dated 26.07.2019 has not been acted upon till date, the present writ petition has been filed.

2.The learned Standing Counsel appearing for the respondent, on instructions, submitted that the petitioner's contribution towards the Employees Provident Funds is to the tune of Rs.6,00,000/-, out of which, he had already availed loan for a sum of Rs.60,000/- and that he is eligible for withdrawal of a sum of Rs.3,00,000/- from his Employees Provident Fund Account. There is no bar under law for withdrawing 65% of the employees contribution from the Employees Provident Fund Account.



3. Since the respondent has also instructed the learned Standing Counsel that the petitioner is entitled for a sum of Rs.3,00,000/- towards withdrawal from the petitioner's contribution towards the Employees Provident Fund Account, it will be appropriate to direct the respondent to release the amount.

4. In the light of the above observations, the respondent herein shall consider the petitioner's representation, dated 26.07.2019, claiming for the release of the non-refundable advance from his E.P.F Account to the tune of Rs.3,00,000/- and consequently, release a sum of Rs.3,00,000/- [Rupees Three Lakh Only] from the petitioner's E.P.F Account, at least within a period of two weeks from the date of receipt of a copy of this order.

5. Accordingly, this writ petition is allowed. No costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

dsk

To

The Managing Director / Executive Trusty,
Tamil Nadu State Transport Corporation (Madurai) Limited,
Employees Provident Fund Trust,
Tamil Nadu State Transport Corporation (Madurai) Limited,
Madurai.

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NA (CO)

NR (11/02/2021) 2P : 2C