



WEB COPY

W.P.(MD) No.16530 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.09.2021

CORAM:

THE HONOURABLE MR.JUSTICE **D.KRISHNAKUMAR**

W.P. (MD) No.16530 of 2021

R.Muthulakshmi

... Petitioner

vs.

1.The Managing Director,
Tamilnadu State Transport Corporation,
Kumbakonam Region,
Kumbakonam, Tanjaore District.

2.The General Manager,
Tamilnadu State Transport Corporation,
Pudukkottai Region,
Pudukkottai.

3.The Regional Provident Fund Commissioner,
Employees Provident Fund Organisation,
Trichy Region, Trichy.

4.The Assistant Provident Fund Commissioner,
Employees Provident Fund Organization,
Sub Regional Office, Kumbakonam.

... Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to provide 75% of money from her Employees Provident Fund account allotted with code no.TN/32497/17426 by considering the representation of the petitioner dated 15.06.2021.

For Petitioner

: Mr.R.Mohanasundaram

For RR1&2

: Mr.D.Sivaraman

Standing Counsel

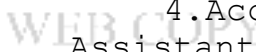
O R D E R

This petition has been filed seeking for issuance of a Writ of Mandamus, directing the respondents to provide 75% of her contribution amount from her Employees Provident Fund account allotted with code no.TN/32497/17426 by considering the representation of the petitioner dated 15.06.2021.

2. Heard the learned counsel appearing for the petitioner and

<https://hcscservices.courts.gov.in/hcscservices/>

the learned Standing Counsel appearing for the respondents.



3. By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

4. According to the petitioner, she was appointed as Junior Assistant in the first respondent Corporation and promoted as Senior Assistant and she has been working in the respondent Corporation for more than 24 years with unblemished record. The petitioner was allotted an Employee Provident Fund no. TN/32497/17426 from the EPFO (herein after referred to as EPF no). Further, from the date of petitioner's appointment, the respondent Corporation deducted EPF contribution from her salary and the employer also contributed their share towards the EPF. It is further submitted that in the month of February 2017, the petitioner had undergone a treatment for throat infection and for that medical expenses, she obtained a hand loan for a sum of Rs.3,00,000/- with interest and repaying the same till date. Further, on 24.08.2020, she also got hand loan towards marriage expenses to perform her daughter's marriage. According to her, as per EPF Rules, six times of monthly salary towards the medical emergency on 50% of the employee's contribution with interest, for the purpose of wedding of her own siblings or child's marriage, can be withdrawn. As per eligibility criteria to withdraw the same from EPF, the employee is required to have rendered at least 7 years of service and produced all relevant documents about the marriage. In this regard, the petitioner made a representation dated 15.06.2021, to the first respondent by enclosing all the relevant documents, requesting him to permit the petitioner to withdraw 75% amount from her EPF amount. However, the said representation is still pending and no orders were passed till date. Therefore, the present Writ petition has been filed before this Court.

5. The learned Standing Counsel appearing for the respondents would submit that petitioner's representation would be considered if it is otherwise in order and appropriate orders will be passed in accordance with law.

6.Considering the submissions made by the learned counsel on either side and considering the limited prayer as sought by the petitioner, this Court, without expressing any opinion on merits, directs the second respondent to consider the petitioner's representation dated 15.06.2021 if it is otherwise in order, on merits and in accordance with law within a period of eight(8) weeks from the date of receipt of a copy of this order and the decision taken shall be communicated to the petitioner.



7. With the above direction, the writ petition is disposed of.
No costs.

Sd/-

Assistant Registrar (AE)

WEB COPY

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

dn

To

1. The Managing Director,
Tamilnadu State Transport Corporation,
Kumbakonam Region,
Kumbakonam, Tanjaore District.

2. The General Manager,
Tamilnadu State Transport Corporation,
Pudukkottai Region,
Pudukkottai.

3. The Regional Provident Fund Commissioner,
Employees Provident Fund Organisation,
Trichy Region, Trichy.

4. The Assistant Provident Fund Commissioner,
Employees Provident Fund Organization,
Sub Regional Office, Kumbakonam.

+1 CC to M/s.D.SIVARAMAN, Advocate (SR-29217[F] dated 15/09/2021)

W.P. (MD) No.16530 of 2021
15.09.2021

RD(24.09.2021) 3P 6C