



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.10.2021

CORAM

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P(MD)No.18668 of 2021

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S.Subramanian,
S/o.M.Subbiah Pillai,
Special Grade Conductor, Staff No:CR07050,
Tamil Nadu State Transport Corporation (Madurai) Ltd.,
Mofussil North Branch. ... Petitioner

Vs.

1.The Tamil Nadu State Transport
Corporation (Madurai) Ltd.,
Rep. by its Managing Director
And Chairman / Managing Trustee of
The Tamil Nadu State Transport
Corporation (Madurai) Limited
Employees Provident Fund Trust,
Bye-pass Road, Madurai.

2.The General Manager,
The Tamil Nadu State Transport
Corporation (Madurai) Ltd.,
Madurai Region, Madurai.

3.The Deputy Manager (Provident Fund),
The Tamil Nadu State Transport
Corporation (Madurai) Limited
Employees Provident Fund Trust,
Bye-pass Road, Madurai.

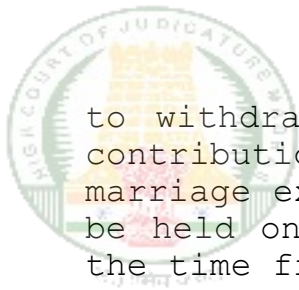
... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to permit the petitioner to withdraw 90% of the Provident Fund accumulation of his own PF contribution available to the credit of 1st respondent for the marriage expenses of his daughter Divyaprabha, which is scheduled to be held on 10.11.2021 and for renovation of his house, within the time frame as stipulated by this Court.

For Petitioner : Mr.A.Rahul
For Respondents : Mr.J.Senthil Kumaraiah,
Standing Counsel.

ORDER

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus, to direct the respondents to permit the petitioner
<https://hcservices.ecourts.gov.in/hcservices/>



to withdraw 90% of the Provident Fund accumulation of his own PF contribution available to the credit of 1st respondent for the marriage expenses of his daughter Divyaprabha, which is scheduled to be held on 10.11.2021 and also for renovation of his house, within the time frame as stipulated by this Court.

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2. Heard the learned counsel appearing for the petitioner and 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, he was working as Special Grade Conductor in the respondent Corporation and he is due to retire from service on 30.06.2022. It is submitted that the petitioner's daughter's marriage is to be held on 10.11.2021 and to meet out the financial expenses of his daughter's marriage, the petitioner made an application dated 06.08.2021 to the respondents 1 & 2 requesting to sanction 90% of the Provident Fund accumulation of his PF Contribution as advance amount for the marriage expenses of his daughter. However, till date no order has been passed by the respondents. Therefore, the petitioner has approached this Court by way of the present Writ Petition.

5. The learned Standing counsel for the respondents would submit that the said representation will be duly considered in accordance with law, if the petitioner is otherwise eligible for the said relief, within the time frame to be stipulated by this Court.

6. The learned counsel for the petitioner would submit that as per Clause 13(j) of the Tamilnadu State Transport Corporation (Madurai) Limited Employees Provident Fund Trust Rules, the petitioner is entitled for the aforesaid relief.

7. Considering the submissions made by the learned counsel on either side, this Court without expressing any opinion on merits, directs the respondents 2 & 3 to consider the petitioner's application dated 06.08.2021 on merits and pass appropriate orders expeditiously, preferably within a period of ten days from the date of receipt of a copy of this order. It is needless to say that if the petitioner is otherwise eligible for withdrawal of the aforesaid amount, the said amount shall be settled to the petitioner prior to 10.11.2021.



8.The writ petition is disposed of, with the above direction.
No costs.

Sd/-

Assistant Registrar (P & A)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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
And Chairman / Managing Trustee of
The Tamil Nadu State Transport
Corporation (Madurai) Limited
Employees Provident Fund Trust,
The Tamil Nadu State Transport
Corporation (Madurai) Ltd.,
Bye-pass Road, Madurai.
- 2.The General Manager,
The Tamil Nadu State Transport
Corporation (Madurai) Ltd.,
Madurai Region, Madurai.
- 3.The Deputy Manager (Provident Fund),
The Tamil Nadu State Transport
Corporation (Madurai) Limited
Employees Provident Fund Trust,
Bye-pass Road, Madurai.

+1 CC to M/s.A.RAHUL, Advocate (SR-32320[F] dated 22/10/2021)

W.P (MD) No.18668 of 2021
20.10.2021

SR(CO)/RS (22.10.2021) 3P 5C