



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.12.2021

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.21835 of 2021

WEB COPY

P.Panneerselvam,
S/o.Pandi

... Petitioner

versus

1.The Managing Director,
Tamil Nadur State Transport Corporation,
(Madurai) Ltd.,
Bye Pass Road,
Madurai.

2.The General Manager,
Tamil Nadu State Transport Corporation,
(Madurai) Ltd.,
Bye-pass Road,
Madurai.

... Respondent

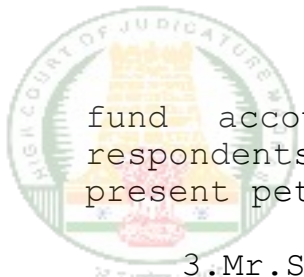
Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Mandamus, with a prayer to direct the respondents to pay Rs.5,00,000/- as loan from the petitioner's provident fund account No.10988 for his son's marriage expenses, which is held on 10.11.2021 based on the petitioner's loan application dated 08.09.2021 and petitioner's representation dated 09.09.2021 within a stipulated time.

For Petitioner : Mr.A.MU.Sharavanan
For Respondents : Mr.S.C.Herold Singh

ORDER

This writ petition is filed for a Mandamus, to direct the respondents to pay Rs.5,00,000/- as loan from the petitioner's provident fund account No.10988 for his son's marriage expenses, which is held on 10.11.2021 based on the petitioner's loan application dated 08.09.2021 and petitioner's representation dated 09.09.2021.

2. The learned counsel for the petitioner submitted that the petitioner is working as a special grade driver in the respondent's Transport Corporation. The petitioner has fixed his son's marriage on 10.11.2021 and he was not able to arrange all the marriage expenses independently. Hence, he applied an application for provident fund loan for a sum of Rs.5,00,000/- from his provident



fund account No.10988, the same was not processed by the respondents' corporation. Therefore, the petitioner has filed this present petition.

3.Mr.S.C.Herold Singh, the learned counsel for the respondents submitted that the petitioner is not eligible for Rs.5,00,000/- as per the Provident Fund Rules. Rule 13(1)(a) of the Provident Fund Rule says that the amount shall not exceed six months pay or the total accumulation of exempted contributions and exempted interest lying to the credit of the employee whichever is less. Therefore, as per the provident Fund Rule, the petitioner is eligible only for a sum of Rs.2,95,000/-. He further submits that the transport corporation has some difficulties and therefore they have policy decision to provide Rs.50,000/- for the marriage of the employee's son, Rs.75,000/- for the marriage of the employee's daughter and Rs.40,000/- for the employee's medical expenses. The respondents' Corporation is ready to pay a sum of Rs.2,95,000/- to the petitioner as loan from the petitioner's provident fund account No.10988.

4.On perusal of the records, it is seen that the petitioner's son marriage was arranged and performed on 10.11.2021. Thereafter, the petitioner made a request for provident fund loan.

5.Considering the facts and the circumstances of this case, this Court directs the respondents to disburse the eligible loan amount of Rs.2,95,000/- to the petitioner from his provident fund account within a period of four weeks from the date of receipt of a copy of this order.

With the above direction, this Writ Petition is disposed of. No Costs.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2022

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,
Tamil Nadur State Transport Corporation,
(Madurai) Ltd.,
Bye Pass Road,
Madurai.

2.The General Manager,
Tamil Nadu State Transport Corporation,
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Bye-pass Road,
Madurai.

+1 CC to M/s.S.C.HEROLD SINGH, Advocate (SR-39434[F] dated
20/12/2021)

W.P (MD) No.21835 of 2021
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RK/CK(03/02/2022) 3P 4C