



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.12.2021

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P (MD)No.21793 of 2021

P.Pitchaimani

S/o.Pampayan

... Petitioner

versus

1.The Managing Director,
Tamil Nadu 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

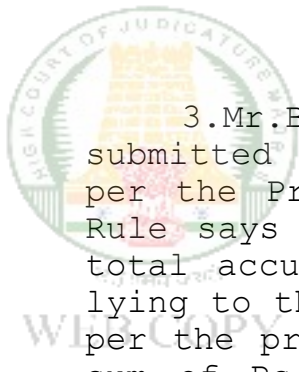
Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Mandamus, with a prayer to direct the respondents to pay Rs.5,00,000/- (Rupees Five Lakh only) as loan from the petitioner's provident fund account No.7233 for his son's marriage expenses, which was held on 10.09.2021 based on the petitioner's representation' dates 11.10.2021 & 25.10.2021 within a stipulated time frame as may be fixed by this Court.

For Petitioner : Mr.A.MU.Saravanan
For Respondents : Mr.S.Baskaran

ORDER

This writ petition is filed for a Mandamus, to direct the respondents to pay Rs.5,00,000/- (Rupees Five Lakh only) as loan from the petitioner's provident fund account No.7233 for his son's marriage expenses, which was held on 10.09.2021 based on the petitioner's representation' dates 11.10.2021 & 25.10.2021 within a stipulated time.

2. The learned counsel for the petitioner submits that the petitioner is working as a special grade driver in the respondent's Transport Corporation. The petitioner has fixed his son's marriage, which was held on 10.09.2021 and he has not able to arrange all the marriage expenses independently. Hence, he applied for provident fund loan for a sum of Rs.5,00,000/- from his provident fund account No.7233, the same was not processed by the respondents' corporation. Therefore, the petitioner has filed this present petition.



3.Mr.Baskaran, 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.2,97,000/-. He would further submit that the transport corporation has some difficulties and therefore they are have a 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. Therefore, they have sent a Demand Draft for a sum of Rs.50,000/- for the Cholvanthan Branch where he is working, which was refused by the petitioner.

4.On perusal of the records, it is seen that son of the petitioner marriage was arranged and performed on 10.09.2021. Thereafter, the petitioner made an 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.2,97,000/- 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)

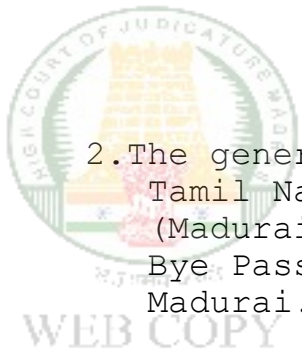
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Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

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

<https://hcservices.ecourts.gov.in/hcservices/>



2.The general Manager,
Tamil Nadu State Transport Corporation,
(Madurai) Ltd.,
Bye Pass Raod,
Madurai.

+1 CC to M/s.S.BASKARAN, Advocate (SR-39238[F] dated 17/12/2021)

+1 CC to M/s.A.MU.SHARVANAN, Advocate (SR-39574[F] dated
20/12/2021)

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RK/CK(03/02/2022) 3P 5C