



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.06.2022

CORAM

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P. (MD) .No.11098 of 2022

P.Sakthivel

... Petitioner

Vs.

1.The Tamil Nadu State Transport Corporation (Madurai) Limited,
Represented 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) Limited,
Madurai Region,
Madurai.

3.The Branch Manager,
The Tamil Nadu State Transport Corporation (Madurai) Limited,
Sholavandan Branch,
Sholavandan,
Madurai District.

...Respondents

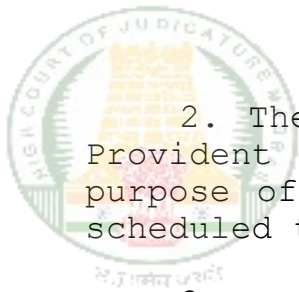
Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to permit the petitioner to withdraw a sum of Rs.4,00,000/- of the Provident Fund accumulation of his own PF contribution available to the credit of the first respondent for the marriage expenses of his daughter Devadharshini within the time stipulated as fixed by this Court.

For Petitioner : Mr.A.Rahul

For Respondents : Mr.J.Senthil Kumaraiah,
Standing Counsel.

ORDER

By consent of both the parties, this Writ Petition is taken up for final disposal.



2. The petitioner herein seeks for permission to withdraw the Provident Fund accumulation of his own PF contribution for the purpose of meeting the marriage expenses of his daughter, which is scheduled to be held on 13.06.2022.

3. Rule 13d of the Tamil Nadu State Transport Corporation Employees Provident Fund Trust Rules provides for withdrawal of the PF contribution by the members in order to meet the expenses in connection with marriages, funerals or ceremonies. Sub rule 13(1) (d) prescribes that the amount so withdrawn shall not exceed six months pay or the total of the accumulations of exempted contributions and exempted interest lying to the credit of the employee, whichever is less, when the pay of the employee exceeds Rs.5000/- per month. Likewise, when the pay of the employee does not exceed Rs.5000/-, the withdrawal shall be subject to certain conditions.

4. The learned Standing Counsel appearing for the respondents, on instructions, submitted that the petitioner is entitled for withdrawal of a sum of Rs.3,25,000/- from his PF contribution, out of which, a sum of Rs.75,000/- has already been sent to the Branch in which the petitioner is employed.

5. In view of the entitlement of the petitioner to withdraw his contribution for the purpose of meeting the expenses of his daughter's marriage and the submission made by the learned Standing counsel for the respondents, there shall be a direction to the third respondent herein to pay the sum of Rs.3,25,000/- (Rupees Three Lakhs and Twenty Five Thousand only) to the petitioner within a period of two (2) weeks from the date of receipt of a copy of this order.

6. This Writ Petition stands allowed accordingly. There shall be no order as to costs.

Sd/-

Assistant Registrar (Crl Side)

// True Copy //

/06/2022

Sub Assistant Registrar(CS)

Lm

To

1.The Managing Director
And Chairman/Managing Trustee of
The Tamil Nadu State Transport
Corporation (Madurai) Limited,
Employees Provident Fund Trust,
Beehive Road, Madurai.

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



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

3.The Branch Manager,
The Tamil Nadu State Transport
Corporation (Madurai) Limited,
Sholavandan Branch,
Sholavandan,
Madurai District.

+1 CC to M/s.A.RAHUL, Advocate (SR-25255[F] dated 13/06/2022)

W.P. (MD) .No.11098 of 2022
10.06.2022

MGJ(24.06.2022) 3P 5C