



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.01.2022

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P (MD) No.22650 of 2021

M.Murugesan

... Petitioner

versus

The Chairman,
Employees Provident Fund Trust,
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, to direct the respondent to sanction and allow the petitioner to withdraw a sum of Rs.7,00,000/- from and out of his own accumulation of Provident Fund contribution available to the credit of the respondent for the marriage of the petitioner's daughter within a time to be stipulated by this Court.

For Petitioner : Mr.G.M.Xavier

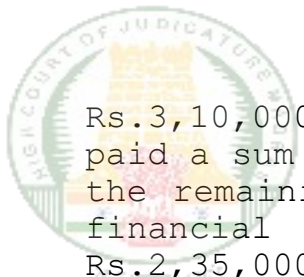
For Respondent : Mr.J.Senthil Kumariah
Standing Counsel

ORDER

This writ petition is filed for a Writ of Mandamus, directing the respondent to sanction and allow the petitioner to withdraw a sum of Rs.7,00,000/- from and out of his own accumulation of Provident Fund contribution available to the credit of the respondent, for his daughter's marriage, within a time to be stipulated by this Court.

2. The learned counsel appearing for the petitioner submits that the petitioner, who is working as Special Grade Driver in the respondent Transport Corporation, arranged marriage for his daughter and for the marriage expenses, he made an application on 01.10.2021 to the respondent Corporation to disburse the Provident Fund amount from his EPF Account. He further submits that the petitioner is having contribution amount of Rs.7,26,495/- in his account and therefore, he is eligible to withdraw a sum of Rs.7,00,000/- from his EPF account. Though the application has been made on 01.10.2021, the same has not been considered so far. Therefore, the petitioner is before this Court.

3. Mr.J.Senthil Kumariah, learned Standing Counsel appearing for the respondent Corporation submits that as per Rule-13 of the TNSTC EPF Trust Rules, the petitioner is entitled for a sum of



Rs.3,10,000/-, out of which, the respondent Corporation has already paid a sum of Rs.75,000/- to the petitioner on 22.10.2021. However, the remaining amount of Rs.2,35,000/- has not been paid in view of financial crisis. He further submits that the balance amount of Rs.2,35,000/- would be paid within six weeks.

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4. This Court paid its anxious consideration to the rival submissions made.

5. Admittedly, the petitioner is entitled for a sum of Rs.3,10,000/- from his EPF Account and the petitioner has made an application on 01.10.2021. The respondent Corporation has paid only a sum of Rs.75,000/- to the petitioner on 22.10.2021 and the balance amount of Rs.2,35,000/- has not been paid by the respondent Corporation by referring the financial crisis. The Provident Fund Contribution is the contribution provided by the Employees and it is in no way connected with the financial crisis. Therefore, this Court is not inclined to accept the contention of the respondent Corporation.

6. Accordingly, the writ petition is disposed of with a direction to the respondent Corporation to disburse the balance amount of Rs.2,35,000/- to the petitioner within a period of four weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar (CO)

// 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
The Chairman, Employees Provident Fund Trust,
Tamil Nadu State Transport
Corporation (Madurai) Ltd.,
Bye Pass Road, Madurai.

+1 CC to M/s.G.M.XAVIER, Advocate (SR-426[F] dated 05/01/2022)

W.P(MD)No.22650 of 2021

03.01.2022