



W.P.(MD)No.1289 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.01.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.1289 of 2023

John Manoharan

... Petitioner

Vs.

- 1.The Managing Director,
Tamil Nadu State Transport Corporation,
KTC Nagar,
Nagercoil Division,
Tirunelveli -11.
- 2.The Branch Manager,
Tamil Nadu State Transport Corporation,
Nagercoil,
Ranithottam,
Kanyakumari District.
- 3.The Manage (Provident Fund),
Tamil Nadu State Transport Corporation,
Nagercoil,
Ranithottam,
Kanyakumari District.

... Respondents



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PRAYER : Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to disburse 90% final settlement of provident fund to the petitioner, based upon the application made by the petitioner, dated 05.08.2022.

For Petitioner : Mr.P.Thirumahilmaran
For Respondents : Mr.D.Jebaraj

ORDER

This writ petition has been filed for issuance of a writ of Mandamus, directing the respondents to disburse 90% final settlement of provident fund to the petitioner, based upon the application made by the petitioner, dated 05.08.2022.

2. The case of the petitioner is that he was appointed as a Conductor in the respondent Corporation in the year 1997. He has made an application to the second respondent on 05.08.2022, for refund of 90% final settlement of provident fund. As per G.O.(Ms.).No.535, Finance Department dated 19.07.1991, he is entitled for provident fund refund of 90%. However, the same was not considered. Hence, the present writ petition has been filed.



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3. The learned counsel appearing for the petitioner would submit that this Court may issue a direction to the second respondent to consider the petitioner's representation dated 05.08.2022 and pass appropriate orders within a reasonable time as fixed by this Court.

4. Heard the learned counsel for the petitioner and the learned counsel appearing for the respondents.

5. Considering the limited request made by the learned counsel for the petitioner, this Court, without going into the merits of the matter, directs the second respondent to consider the petitioner's representation dated 05.08.2022 and pass appropriate orders, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.



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

24.01.2023

NCC: Yes/No
Index : Yes / No
Speaking Order : Yes / No

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To

- 1.The Managing Director,
Tamil Nadu State Transport Corporation,
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Nagercoil Division,
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M.DHANDAPANI,J.

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