



W.P.(MD).No.19234 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.08.2023

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.19234 of 2023

R.Senthilkumar

... Petitioner

Vs

The Managing Director / Executive Trustee,
Tamil Nadu State Transport Corporation (MDU) Ltd.,
Provident Fund Trust,
Tamil Nadu State Transport Corporation (MDU) Ltd.,
Bypass Road, Madurai - 16.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent to release Rs.5,00,000/- (Rupees Five Lakhs only) as part withdrawal from the petitioner's Provident Fund Account No.10634 maintained by the respondent's Corporation Provident Fund Trust to take treatment of the petitioner's own illness at the earliest.

For Petitioner : Mr.K.K.Samy

For Respondent : Mr.S.Raja
Standing Counsel



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ORDER

The present writ petition has been filed seeking direction to the respondent to release Rs.5,00,000/- (Rupees Five Lakhs only) as part withdrawal from the petitioner's Provident Fund Account No.10634 maintained by the respondent Corporation Provident Fund Trust to take treatment of the petitioner's own illness at the earliest.

2.By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

3.Heard, Mr.K.K.Samy, learned counsel appearing for the petitioner and Mr.S.Raja, learned Standing Counsel appearing for the respondents.

4.(i).The petitioner was appointed as driver in the respondent Corporation on 24.01.1998. His employment number is 11D960063/DR10634. His Provident Fund membership No. is 10634. His date of retirement would be 31.01.2032. He has a balance amount of Rs.9,19,129 in his credit as per the



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Provident fund Account Slip issued to him during the year 2021-2022. Thereafter, the accumulated balance is also available for the years 2021-2022 and 2022-2023. Hence, he is eligible to get advance from the Provident Fund Account maintained by the respondent Corporation, in case of emergency or medical purposes or family purposes. The petitioner is eligible to get non-refundable loan from his Provident Fund Account maintained by the respondent as per TNSTC EPF Trust Rules.

(ii)The petitioner is undergoing treatment for his medical ailment, for which, he require money. Therefore, he submitted an application in the prescribed format on 23.06.2023, along with necessary medical certificates and other details as required by the Rules to the Managing Director to sanction the amount. The amount sought by the petitioner is Rs.5 lakhs. However, the same was not sanctioned. Hence, this writ petition came to be filed.

5.Without going into merits of the case, this Court hereby direct the respondent to immediately release the permissible amount, to which, the petitioner is entitled from his Provident Account No.10364, as part withdrawal



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maintained by the respondent Corporation, within a period of four weeks from the date of receipt of a copy of this order.

6. Accordingly, this writ petition stands disposed of. There shall be no order as to costs.

09.08.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes
PNM

To

The Managing Director / Executive Trustee,
Tamil Nadu State Transport Corporation (MDU) Ltd.,
Provident Fund Trust,
Tamil Nadu State Transport Corporation (MDU) Ltd.,
Byepass Road, Madurai - 16.



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L.VICTORIA GOWRI, J.

PNM

ORDER IN
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09.08.2023