



W.P.(MD).No.20599 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.08.2023

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.20599 of 2023

R.Manimaran Solai

... Petitioner

Vs.

**The Chairman,
Employees Provident Fund Section,
Tamil Nadu State Transport Corporation
(Madurai) Limited,
Head Office, By-pass Road,
Madurai.**

... 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 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 his daughter.

For Petitioner : Mr.G.M.Xavier

**For Respondent : Mr.S.Siva Balaji
Standing Counsel**



W.P.(MD).No.20599 of 2023

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ORDER

This writ petition has been filed seeking direction to 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 his daughter.

2. Considering the limited prayer sought for in this writ petition, this writ petition is disposed of at the admission stage itself.

3. The petitioner was appointed as a Conductor in the respondent Corporation on 12.11.1992. Thereafter, he was promoted as Special Grade Conductor and he is continuously working thereat 31 years. For the purpose of conducting his daughter's marriage which is scheduled to be held on 20.08.2023, the petitioner requested to sanction and allow him to withdraw a sum of Rs.7,00,000/- from and out of his own accumulation of Provident Fund contribution available in the employees contribution of his Provident Fund account to the respondent on 12.06.2023. But his request was not heeded to and hence, this writ petition came to be filed.



W.P.(MD).No.20599 of 2023

WEB COPY

4. The learned Counsel for the petitioner relying on clause 13 (1) (d) of the PF Trust Rules and pressed for allowing this writ petition.

5. However, the learned Standing Counsel for the respondent would submit that the quantum could be permitted only in terms of Sub-Rules. For the purpose of better understanding, clause 13 (1) (d) of the PF Trust Rules is extracted as follows:

“13. Withdrawals

1. Withdrawals by the members may be allowed by the Trustees in the following circumstances:

(d) to pay expenses in connection with marriages, funerals or ceremonies which by the religion of the member it is incumbent upon him to perform.”

6. As far as quantum of limit is concerned, Sub rule 13 (1) (d) is also extracted as follows:

“shall not exceed 6 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 excess Rs.5,000/- per month.

The mandated rules permits withdrawal of an amount which does not exceeds six months pay of the employee.



W.P.(MD).No.20599 of 2023

WEB COPY

7. Considering the limited scope of this writ petition, this Court hereby directs the respondent to sanction and thereafter allow the petitioner to withdraw the permissible eligible amount from and out of his own accumulation of Provident Fund contribution available to the credit of the respondent for the marriage of his daughter within a period of two (2) weeks from the date of receipt of a copy of this order.

8. With the above said observation, this writ petition stands disposed of.
There shall be no order as to costs.

24.08.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes
BTR

To

The Chairman,
Employees Provident Fund Section,
Tamil Nadu State Transport Corporation
(Madurai) Limited,
Head Office, By-pass Road,
Madurai.



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W.P.(MD).No.20599 of 2023

L.VICTORIA GOWRI, J.

BTR

W.P.(MD).No.20599 of 2023

24.08.2023