



W.P.(MD).No.3916 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.02.2024

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.3916 of 2024

S.Jeyakumar

... Petitioner

Vs

1. The Tamil Nadu State Transport Corporation (Kumbakonam) Limited,
Employees Provident Fund Trust, New Railway Station Road,
Kumbakonam.
2. The General Manager,
The Tamil Nadu State Transport Corporation (Kumbakonam) Limited,
New Railway Station Road, Kumbakonam.
3. The Deputy Manager,
Provident Fund Section,
The Tamil Nadu State Transport Corporation (Kumbakonam) Limited,
Employees Provident Fund Trust,
New Railway Station Road, Kumbakonam.

... 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 sanction and grant Provident Fund Loan of Rs.4,00,000/- to petitioner from and out of accumulation of petitioner own PF contribution as per the provisions of Tamil Nadu State Transport Corporation (Kumbakonam) Limited, Employees



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Provident Fund Trust Rules for meet out of petitioner's children Education expenses and Medical Expenses.

For Petitioner : Mr.A.Balaji

For Respondent : Mr.K.Ramaiah
Standing Counsel

ORDER

The present writ petition has been filed seeking a direction to the respondents to sanction and grant Provident Fund Loan of Rs.4,00,000/- to petitioner from and out of accumulation of petitioner own PF contribution as per the provisions of Tamil Nadu State Transport Corporation (Kumbakonam) Limited, Employees Provident Fund Trust Rules to meet out the petitioner daughter's children Education expenses and Medical Expenses.

2.By consent of both parties, considering the limited relief sought for by the petitioner, the Writ Petition is taken up for final disposal at the stage of admission itself.

3.Heard, the learned counsel appearing for the petitioner and the learned Standing Counsel appearing for the respondents. Perused the materials on record.



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4.The petitioner joined service in the first respondent Corporation as Driver with effect from 20.04.2001. The first and second respondents are bound to receive amount towards Provident Fund from the employees and the same is being maintained in a separate account. While so, the petitioner submitted an application seeking to sanction Rs.4 lakhs for his daughter's education from his Provident Fund Account. A sum of Rs.4,43,675/- is available in his PF account for the year 2023-24. However, the same was not processed and the money was not yet disbursed by the respondents. Hence, this writ petition came to be filed.

5. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon the respondents to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of Constitution of India and direct the respondents to consider the same within a stipulated time.



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6.Considering the nature of urgency, for which, money is sought for by the petitioner, this Court hereby direct the respondents to consider the application filed by the petitioner seeking partdrawal of PF amount and immediately release the eligible amount of Provident Fund to the petitioner, within a period of two (2) weeks, from the date of receipt of a copy of this order.

7.With the above direction, this writ petition stands disposed of.

There shall be no order as to costs.

21.02.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes
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L.VICTORIA GOWRI, J.

PNM

**ORDER IN
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