



WP(MD) No.9568 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **18.04.2024**

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD) No.9568 of 2024

G.Velavan

... Petitioner

Vs.

- 1.The Tamil Nadu State Transport Corporation (Madurai) Ltd.,
Represented by its Managing Director and Chairman /
Managing Trustee of the Tamil Nadu State
Transport Corporation (Madurai) Ltd.,
Employees Provident Fund Trust,
Bye-pass Road,
Madurai.
- 2.The General Manager,
The Tamil Nadu State Transport Corporation (Madurai) Limited,
Madurai Region,
Madurai.



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3.The Deputy Manager,
Employees Provident Fund Trust,
The Tamil Nadu State Transport Corporation (Madurai) Limited,
Madurai. - 625 016.

4.The Branch Manager,
The Tamil Nadu State Transport Corporation (Madurai) Limited,
Thiruparankundram Branch,
Thiruparankundram,
Madurai.

... 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 permit the petitioner to withdraw a sum of Rs.6,00,000/- available in petitioner's Provident Fund Account No. 9225 on the file of the 1st respondent Trust within the time limit fixed by this Court so as to enable him to meet out the marriage expenses of his daughter which is scheduled to be held on 19.05.2024.



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For Petitioner : Mr.A.Rahul

For Respondents : Mr.Ramachandrapradeep
Standing Counsel

ORDER

The present writ petition has been filed seeking direction to the respondents to permit the petitioner to withdraw a sum of Rs.6,00,000/- available in petitioner's Provident Fund Account No.9225 on the file of the 1st respondent Trust within the time limit fixed by this Court so as to enable him to meet out the marriage expenses of his daughter which is scheduled to be held on 19.05.2024.

2. The petitioner joined the services of the 1st respondent corporation as a Driver with effect from 19.05.1994. As of now, the petitioner is working as Special Grade Driver Level-V. The petitioner's daughter's marriage has been fixed on 19.05.2024.



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The petitioner submitted an application to the respondents seeking sanction of a sum of Rs.6,00,000/- as PF loan out of his accumulation in PF contribution. A sum of Rs.17,29,314/- is available in his PF account for the year 2023-24. However, the respondents have not considered his application, dated 01.04.2024. Since the same was not considered, this writ petition came to be filed.

3. Heard Mr.A.Rahul, learned counsel for the petitioner and Mr.Ramachandrapradeep, learned standing counsel for the respondents.

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

5. The learned counsel for the petitioner relying on clause 13 (1) (d) of the PF Trust Rules, pressed for allowing the writ petition. However, the learned standing counsel would submit



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that the 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.”

5. 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.



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6. Recording the same, this Court is inclined to direct the respondents to sanction and allow the petitioner to withdraw the permitted amount in terms of the above mentioned PF Trust Rules in view of his application, dated 01.04.2024. The said exercise shall be completed within a period of two (2) weeks from the date of receipt of a copy of this order.

7. With the above said observations, this Writ Petition stands **disposed of**. No costs.

18.04.2024

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

RM

Note : Issue Order copy on 23.04.2024



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R.N.MANJULA, J.

RM

Order made in
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18.04.2024