



W.P.(MD)No.16789 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.07.2024

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD)No.16789 of 2024

T.Senthilkumar

... Petitioner

Vs.

The Managing Director / Executive Trustee,
Tamilnadu State Transport Corporation (Mdu) Ltd.,
Provident Fund Trust,
Tamilnadu State Transport Corporation (Mdu) Ltd.,
Bye-Pass Road,
Madurai-16.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to release Rs.5,20,000/- (Rupees Five Lakhs Twenty Thousand only) as part withdrawal from the petitioner's Provident Fund Account No.11013 maintained by the respondent Corporation Provident Fund Trust to meet out the medical expenditure to petitioner's mother.

For Petitioner : Mr.K.K.Samy

For Respondents : Mr.K.Ramaiah



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Standing Counsel

ORDER

Heard Mr.K.K.Samy, learned counsel appearing for the petitioner and Mr.K.Ramaiah, learned Standing Counsel appearing for the respondent.

2. The petitioner has filed this writ petition for issuance of a Writ of Mandamus to direct the respondents to release Rs.5,20,000/- (Rupees Five Lakhs Twenty Thousand only) as part withdrawal from the petitioner's Provident Fund Account No.11013 to meet out the medical expenditure of his mother.

3. The petitioner is working as a Selection Grade Driver in the respondent Corporation. For his mother's treatment, he made an application to the respondents to sanction loan amount of Rs.5,20,000/- from his Provident Fund Account No.11013. However, the respondent



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failed to take effective steps to disburse his loan amount. Hence, the present writ petition has been filed.

4. 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. The failure on the part of the authority had prompted the petitioner to file this petition for seeking relief through issuance of Writ of Mandamus. As the petitioner has made out a case for invoking the extraordinary powers of this Court under Article 226 of the Constitution of India, the respondent is required to be given with a direction to consider the representation of the petitioner within a specified time frame.

5. In the light of the above observations, there shall be a direction to the respondent herein to consider the petitioner's representation dated 11.07.2024, on its own merits and pass appropriate



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orders in accordance with law, after making due enquiry, within a period of four weeks from the date of receipt of a copy of this order. It is made clear that this Court has not gone into the merits of the claim of the petitioner and it is open to the respondents to consider the same on their own merits.

6. With the above direction, the Writ Petition stands **disposed of**. No costs.

23.07.2024

NCC: Yes/No
Index : Yes/No
P JL

To
The Managing Director / Executive Trustee,
Tamilnadu State Transport Corporation (Mdu) Ltd.,
Provident Fund Trust,
Tamilnadu State Transport Corporation (Mdu) Ltd.,
Bye-Pass Road,
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R.N.MANJULA, J.

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