



W.P.No.7155 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 21.04.2025

CORAM:

THE HONOURABLE MR. JUSTICE **D.BHARATHA CHAKRAVARTHY**

W.P.No.7155 of 2025

R.THIRUMAL

... Petitioner

Vs

1. THE METROPOLITAN TRANSPORT CORPORATION LTD,
REP. BY IT MANAGING DIRETOR AND
CHARIMAN /MANAGING TRUSTEE OF
THE METROPOLITAN TRANSPORT CORPORTION LTD,
EMPLOYEE PROVIDENT FUND TRUST,
PALLAVAN SALAI,
CHENNAI - 600 002.
 2. THE METROPOLITAN TRANSPORT CORPORTION,
REP. BY ITS CHIEF FINANCE OFFICER AND ADMINISTRATOR,
EMPLOYEE PROVIDENT FUND TRUST TRUSTEE,
METROPOLITAN TRANSPORT CORPORTION LTD,
PALLAVAN SALAI,
CHENNAI -600 002.
 3. THE METROPOLITAN TRANSPORT CORPORATION,
REP. BY ITS SENIOR DEPUTY MANAGER,
EMPLOYEE PROVIDENT FUND TRUST TRUSTEE,
THE METRO POLITAN TRANSPORT CORPORTION LTD,
PALLAVAN SALAI, CHENNAI -600 002.
 4. THE METRO POLITAN TRANSPORT CORPORATION,
REP. BY ITS BRANCH MANAGER,
IYYAPANTHANGAL DEPOT,
IYYAPANTHANGAL.
- ... Respondents



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Prayer: Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus, directing the respondents to permit the petitioner to withdraw a sum of Rs.10,00,000/- of the provident fund accumulation of petitioner PF contribution available to the credit of the first respondent for the marriage expenses of petitioner's daughter T. Aiswarya within the time stipulated as fixed by this Court.

For Petitioner : Mr.S.Sakthivel

For R1 to R4 : Mr.A.Vinoth Raj, Standing Counsel

ORDER

The prayer in the writ petition is to permit the petitioner to withdraw the sum of Rs.10,00,000/- from the provident fund accumulation, which has accrued from his own contribution.

2. When the matter came up for hearing, the learned Standing counsel appearing on behalf of the respondents 1 to 4, by producing written instructions dated 15.04.2025, submitted that a sum of Rs.1,50,000/- had already been permitted to be withdrawn by the petitioner on account of urgent marital expenses. As per the rule, 50% of the accumulated amount was permitted as a loan in respect of marriages, etc., and since now, on account of financial difficulty, 50% is not permitted, therefore Rs.1.5 lakhs has already



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been permitted to the petitioner.

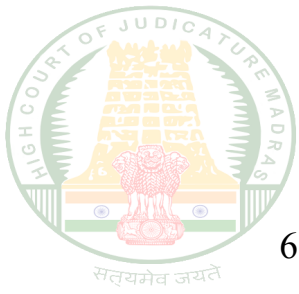
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3. I have considered the rival submissions made on either side and perused the material records of the case.

4. The withdrawal of the sum from the Provident Fund account of the petitioner is governed by the Provident Fund Trust Rules framed by the respondents organization themselves. Already, by considering Rule 13 of the said rules, this Court, under similar circumstances, passed the following order:

7. Recording the same, this Court is inclined to direct the respondent to sanction and allow the petitioner to withdraw the permitted amount in terms of the above mentioned PF Trust Rules, in view of his representation, dated 11.03.2024. The said exercise shall be completed within a period of eight (8) weeks from the date of receipt of a copy of this Order.

5. According to the petitioner, the amount has been accumulated on account of his own contribution and the same is not being permitted to be withdrawn only due to financial difficulty. The respondents cannot plead financial difficulty if the petitioner is eligible for withdrawal of the sum as per the rules. However, considering the same, this Court can only grant four months time to the respondents to permit the payment.



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6. In view thereof, this writ petition is ordered on the following terms:

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(ii) In view of the financial difficulty pleaded before this Court, four months time is granted to the respondents Corporation for releasing the amount.

(iii) It is made clear that, upon receipt of the web copy of the order, the petitioner's application shall be considered and his entitlement shall be intimated by an order in writing within two weeks. The amount can be paid within four months thereafter. No costs.

21.04.2025

Neutral Citation: Yes/No
nsl



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To

1. THE MANAGING DIRETOR AND
CHARIMAN /MANAGING TRUSTEE OF
THE METROPOLITAN TRANSPORT CORPORATION LTD,
EMPLOYEE PROVIDENT FUND TRUST,
PALLAVAN SALAI,
CHENNAI - 600 002.
2. THE CHIEF FINANCE OFFICER AND ADMINISTRATOR,
THE METROPOLITAN TRANSPORT CORPORTION,
EMPLOYEE PROVIDENT FUND TRUST TRUSTEE,
METROPOLITAN TRANSPORT CORPORTION LTD,
PALLAVAN SALAI,
CHENNAI -600 002.
3. THE SENIOR DEPUTY MANAGER,
THE METROPOLITAN TRANSPORT CORPORATION,
EMPLOYEE PROVIDENT FUND TRUST TRUSTEE,
THE METRO POLITAN TRANSPORT CORPORTION LTD,
PALLAVAN SALAI, CHENNAI -600 002.
4. THE BRANCH MANAGER,
THE METRO POLITAN TRANSPORT CORPORATION,
IYYAPANTHANGAL DEPOT,
IYYAPANTHANGAL.



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D.BHARATHA CHAKRAVARTHY, J.

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