

W.P.(MD)No.12330 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.04.2025

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THE HONOURABLE MR.JUSTICE BATTU DEVANAND

W.P.(MD)No.12330 of 2025

P.Sekar

... 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) Limited
Employees Provident Fund Trusts,
Bye Pass Road, Madurai – 625 016.
- 2.The General Manager,
The Tamil Nadu State Transport Corporation (Madurai) Ltd.,
Madurai Region, Madurai - 625 016.
- 3.The Deputy Manager (Provident Fund),
The Tamil Nadu State Transport Corporation (Madurai) Limited
Employees Provident Fund Trust,
Bye-Pass Road, Madurai - 625 016.
- 4.The Branch Manager,
The Tamil Nadu State Transport Corporation (Madurai) Limited,
Sholavandan Branch, Madurai.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to permit the petitioner to withdraw a sum of Rs.7,00,000/- available in his PF Account No. 7236 on the file of first respondent Trust within the time limit fixed by this Honble Court so as to enable him to meet out marriage expenses for his son which is scheduled to be held on 05.06.2025.

For Petitioner : Mr.A.Rahul

For Respondents : Mr.Ramachandra Pradeep
Standing Counsel

ORDER

This writ petition has been filed seeking for a direction to the respondents to permit the petitioner to withdraw a sum of Rs.7,00,000/- available in his PF Account No.7236 on the file of first respondent Trust within the time limit fixed by this Court so as to enable him to meet out marriage expenses for his son which is scheduled to be held on 05.06.2025.

2. The case of the petitioner is that he is working as Special Grade Driver Level – 6 in the respondent Corporation. He is going to retire from service with effect from 31.05.2026. He is the member of the first respondent trust. As on date, a sum of Rs.11,49,479/- is lying to the credit of the provident fund account of the petitioner. He made an application on 16.04.2025 to the fourth



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respondent to withdraw a sum of Rs.7,00,000/- from his provident fund account for his son's marriage, which is to be scheduled to be held on 05.06.2025. He submitted a representation on 16.04.2025 to the respondents 1 to 3 also. But there was no response from the respondents. Aggrieved by the inaction of the respondents in not permitting the petitioner to withdraw a sum of Rs.7,00,000/- from the provident fund account of the petitioner, the present writ petition is filed.

3. The learned counsel for the petitioner submits that as per Rule 13 (1)(j) of the TNSTC Employees Provident Fund Trust Rules, the petitioner is entitled to withdraw 90% of his total accumulation within one year before his actual retirement on superannuation age. As the petitioner is going to retire on 31.05.2026, the petitioner is entitled under this Rule to withdraw 90% of his total accumulation.

4. On the other hand, the learned Standing Counsel for the respondents submits that under Rule 13(5) of the TNSTC Employees Provident Fund Trust Rules, second withdrawal shall not be permitted until the sum first withdrawn has been fully repaid. Relying on this Rule, the learned Standing Counsel submits that if the petitioner has already avail benefit under Rule 13 (1)(j) of the



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TNSTC Employees Provident Fund Trust Rules, he is not entitled under the said

Rule for second withdrawal.

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5. Considering the facts and circumstances of the case, admittedly, the petitioner is going to retire on 31.05.2026 and as per the petitioner, he did not avail the benefit to withdraw 90% of the accumulated amount from his provident fund account earlier. To meet out the expense for his son's marriage, which is scheduled to be held on 05.06.2025, he requested the respondents to permit him to withdraw Rs.7,00,000/- from his provident fund account at the earlier point of time.

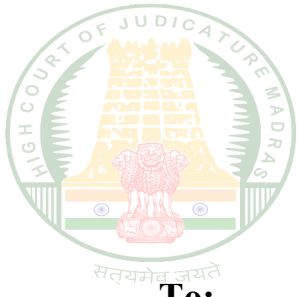
6. Accordingly, this writ petition is disposed of with a direction to the respondents to permit the petitioner to withdraw a sum of Rs.7,00,000/- available in his provident fund account on the file of the first respondent within a period of three weeks from the date of receipt of a copy of this order.

No costs.

28.04.2025

NCC:yes/no
Index:yes/no
Internet:yes/no
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And Chairman/managing Trustee of the
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BATTU DEVANAND, J.

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