



W.A.(MD)No.1303 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 02.06.2025

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

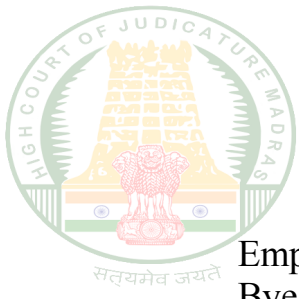
**W.A.(MD)No.1303 of 2025
and
C.M.P.(MD)No.7885 of 2025**

The Tamil Nadu State Transport
Corporation (Madurai) Limited,
Represented by its Managing Director
and Chairman/Managing Trustee,
The Tamil Nadu State Transport
Corporation (Madurai) Limited,
Employees Provident Fund Trust,
Bye Pass Road, Madurai – 625 016.

... Appellant

Vs.

- 1.P.Pandy
- 2.The General Manager,
The Tamil Nadu State Transport
Corporation (Madurai) Limited,
Madurai Region,
Madurai - 625 016.
- 3.The Deputy Manager (Provident Fund),
The Tamil Nadu State Transport
Corporation (Madurai) Limited,



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Employees Provident Fund Trust,
Bye - Pass Road, Madurai - 625 016.

... Respondents

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Prayer : Writ Appeal filed under Clause XV of Letters Patent, to allow the writ appeal by setting aside the order passed in W.P.(MD)No.27337 of 2023 dated 17.11.2023 on the file of this Court.

For Appellant : Mr.S.C.Herold Singh

For Respondents : Mr.A.Rahul for R1

JUDGMENT

Heard both sides.

2.The writ petitioner was employed as driver in the appellant transport corporation. He retired from service on 31.05.2024. One year prior to his retirement, he sought to withdraw 90% of provident fund contribution. The writ petitioner was to celebrate his daughter's marriage and in connection with that event, he made the aforesaid request for withdrawal. Since it was not considered, he filed W.P.(MD)No.27337 of 2023. The learned Single Judge vide order dated 17.11.2023 allowed the writ petition. Challenging the same, the management has filed this writ appeal.

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3.In a sense, nothing survives for further adjudication in this writ appeal. It is because the writ petitioner had already retired from service. In any event, the learned Single Judge was right in granting relief. The learned counsel for the writ petitioner / respondent draws our attention to Clause 13(1)(j) of PF Trust Rules which states that the members may be permitted to withdraw 90% of his total accumulation within one year before his actual retirement on superannuation age.

4.In this view of the matter, the order of the learned Single Judge does not call for any interference and the writ appeal is dismissed. The management is directed to settle the writ petitioner's retirement benefits in full as expeditiously as possible, preferably within a period of twelve weeks from the date of receipt of a copy of this judgment since he has already superannuated. No costs. Consequently, connected miscellaneous petition is closed.

(G.R.S. J.) & (K.R.S. J.)
02.06.2025

NCC : Yes/No
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and
K.RAJASEKAR, J.

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