

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.06.2015

CORAM:

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

W.P.No.17620 of 2015

S.Santha

... Petitioner

-Versus-

1. The Secretary to Government,
School Education Department,
Chennai -9.
2. The Additional Assistant Elementary
Educational Officer,
Kunrathur at Padappai,
Kancheepuram District-601 301.
3. The Assistant Director,
Local Fund Audit,
10/57, Sri Chandrasekara Saraswathi
Swamigal Street,
Bangara Amman Garden,
Kancheepuram,
Kancheepuram District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India for the relief of issuance of Writ of Mandamus, directing the 1st respondent to consider the petitioner's appeal dated 27.05.2015 and pass orders regarding interest on the belated payment of General Provident Fund as per Rule 13(4) of the G.P.F. (Tamil Nadu) Rules, a special interest @ 12% and in the light of the decision of the Hon'ble Supreme Court reported in 1974 (4) SCC 308 and 2006 (1) L.W. 157 in W.P.No.26602 of 2005 dated 03.02.2006 and opening balance amount.

For petitioner : Mr.A.Baskaran

For Respondents : Mr.S.Gunasekaran,
Government Advocate.

ORDER

The petitioner was a Secondary Grade Teacher. She retired from service on 28.02.2010 A.N. on attaining the age of superannuation. Her grievance is that the General Provident Fund

was settled by the 3rd respondent only after three years i.e., on 05.09.2013. Hence, she has submitted a representation to the 1st respondent on 27.05.2015 to pay interest on the belated settlement of General Provident Fund. But, the 1st respondent has not so far considered the above said representation and the same is still pending. Therefore, the petitioner has come up with this writ petition seeking for a direction to the 1st respondent to consider the representation of the petitioner for interest on the belated settlement of GPF and to pass appropriate orders within a time frame.

2. I have heard the submissions made on either side.

3. Considering the limited scope of the prayer and taking into consideration of the fact that the representation of the petitioner dated 27.05.2015 is pending, without going into the merits of the case, the 1st respondent is directed to consider the representation of the petitioner dated 27.05.2015 and pass orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order. This writ petition is, accordingly, disposed of. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

kmk

To

1. The Secretary to Government,
School Education Department,
Chennai -9.
2. The Additional Assistant Elementary
Educational Officer,
Kunrathur at Padappai,
Kancheepuram District-601 301.

+1cc to Mr.A.Baskaran, Advocate, S.R.No.30403
+1cc to the Government Pleader, S.R.No.30318

W.P.No.17620 of 2015

SVI (CO)
CA(30/06/2015)