

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 07.07.2015

CORAM

THE HONOURABLE MR. JUSTICE D.HARIPARANTHAMAN

W.P.No.19985 OF 2015

N.Premalatha

[PETITIONER]

Vs

- 1 The Director of Elementary Education
College Road,
Chennai-600 006.
- 2 The District Elementary Educational Officer
Vellore,
Vellore District.
- 3 The Headmaster
Government High School
Gudiyatham R.S.
Vellore District.
- 4 The Principal Accountant General
of Tamil Nadu
No.361 Anna Salai
Teynampet, Chennai-600 018. [RESPONDENTS]

Writ petition is filed under Article 226 of the Constitution of India praying for a writ of mandamus to direct the fourth respondent to allot General Provident Fund Account Number to the petitioner in sequel to the Teachers Provident Fund vide Subscription Number 339885 allotted to the petitioner so as to enable the third respondent to deduct general provident fund contribution from the salary of the petitioner from 06.08.2010 and to remit the same periodically.

For Petitioner : Mr.S.Mani

For Respondents : Mrs.M.E.Rani Selvam - R1 to R3
Addl.Government Pleader

Mr.V.Vijay Shankar - R4

O R D E R

With the consent of the learned counsel appearing on either side, the Writ Petition is taken up for final disposal at the admission stage itself.

2.The petitioner was appointed as Secondary Grade Teacher in an Aided Primary School, Rajathangal, Kilpennathur Panchayat Union, Thiruvannamalai District on 27.3.2003. Since the petitioner joined service before 1.4.2003, she became a member of the Teachers Provident Fund and her Subscription Number is 339885. While so, the petitioner was selected by the Teachers Recruitment Board for the post of P.G.Assistant (Zoology) and she was posted in the Corporation Girls High School, R.S.Puram (West), Coimbatore, by an order dated 07.06.2010.

3.Based on the said order, the petitioner was relieved from the post of Secondary Grade Teacher on 05.08.2010 and she immediately joined service of P.G.Assistant (Zoology), at Coimbatore on 6.8.2010. While so, third respondent herein sent a proposal to the fourth respondent to bring the petitioner into pensionable service, since she joined before 01.04.2003.

4.However, the fourth respondent returned the same by proceedings in FMI/ADMN/14-15 dated 06.04.2015, on the ground that no proper entry is made in the Service Register that the petitioner entered the service prior to 01.04.2003.

5.In these circumstances, the Writ Petition is disposed of directing the third respondent to re-submit the proposal to the fourth respondent, along with appropriate entries in the Service Register, indicating that the petitioner entered service prior to 01.04.2003, within a period of four weeks from the date of receipt of a copy of this order. On receipt of such revised proposal, the fourth respondent is directed to pass appropriate orders bringing the petitioner into regular Pension Establishment, within a period of four weeks thereafter.

The Writ Petition is disposed of accordingly. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Asst.Registrar (J)

/true copy/

Sub Asst. Registrar

To

1 The Director of Elementary Education
College Road,
Chennai-600 006.

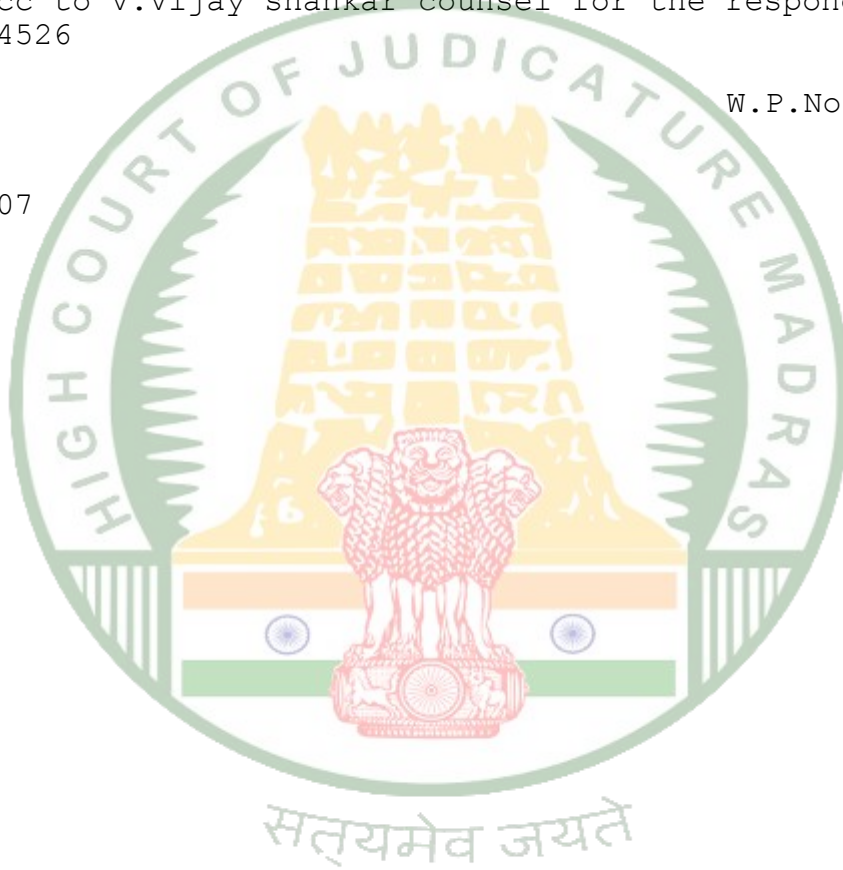
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No.361 Anna Salai,
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+1cc to Mr.S.Mani counsel for the petitioner sr.no.33909
+1cc to Government pleader sr.no.34340
+1cc to V.Vijay shankar counsel for the respondent
sr.no.34526

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