

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.03.2015

CORAM:

THE HONOURABLE MR. JUSTICE K.K.SASIDHARAN

Writ Petition No.2120 of 2015

D.Benitta Emerance Mary

...Petitioner

Vs.

1.The Commissioner (Education),
Chennai Corporation,
Rippon Building, Chennai-3.

2.The Education Officer,
Chennai Corporation,
Rippon Building, Chennai-3.

3.The Accounts Officer (GPF),
Chennai Corporation,
Rippon Building, Chennai-3.

4.The Director,
Government Schools Data Centre,
Guindy, Chennai-25.

...Respondents

Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Mandamus, directing the respondents to pass appropriate orders for continuity of Teachers Provident Fund Account No.333795/TPF by considering the earlier services rendered by the petitioner in Government Aided School from 13.02.2001 onwards and accordingly allow the petitioner to have the benefits of General Provident Fund in Corporation School Service by considering the representation submitted by the petitioner dated 17.10.2014.

For Petitioner : Mr.G.Sankaran

For Respondents : Mr.V.C.Selvasekaran for R1 to R3
Mr.P.Sanjay Gandhi,
Addl.Govt. Pleader for R4

O R D E R

The petitioner was initially appointed as Secondary Grade Teacher in St.Joseph High School, Kottaikuppam in the district of Tiruvallur. Her appointment was approved by the District Educational Officer, Ponneri, vide proceedings dated 31.07.2001.

Her name was included in the Teachers Provident Fund and Contribution Scheme vide TPF Account No.333795/TPF. The concerned authority has deducted the contribution from her salary.

2. Subsequently, she was selected and appointed to the post of Secondary Grade Teacher in Panchayat Union Elementary School in the District of Tiruvallur as per proceedings dated 28.02.2007. She was relieved from the Government Aided School on 12.03.2007 after obtaining a letter of resignation. She joined the post of Secondary Grade Teacher in Panchayat Union School, Minjur on 13.03.2007. The petitioner joined the service without any break.

3. The petitioner was later transferred and posted as Secondary Grade Teacher in Chennai Corporation School on 26.06.2008 based on her request. Subsequent to her appointment in Panchayat Union Elementary School and thereafter in the Corporation School, her Teacher Provident Fund Account No.333795/TPF has not been operated for making deductions for the purpose of Provident Fund Contribution. The petitioner was considered as a new entrant to the service with effect from 13.03.2007. The petitioner having found that her earlier account has not been taken note of, submitted a representation to the second respondent on 17.10.2014. The petitioner now seeks a direction to the second respondent to dispose of the said representation on merits.

4. The second respondent is directed to consider and dispose of the the representation submitted by the petitioner dated 17.10.2014 on merits and taking into account her Teachers Provident Fund A/c.No.333795/TPF. Such exercise shall be completed within a period of two months from the date of receipt of a copy of this order.

5. The writ petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

svki/ds

To

1.The Commissioner (Education),
Chennai Corporation,
Rippon Building, Chennai-3.

2.The Education Officer,
Chennai Corporation,
Rippon Building, Chennai-3.

3.The Accounts Officer (GPF),
Chennai Corporation,
Rippon Building, Chennai-3.

4.The Director,
Government Schools Data Centre,
Guindy, Chennai-25.

+ 1 cc to M/s. G.Sankaran, Advocate SR.14357

+ 1 cc Government Pleader Sr.14206

SAI (CO)
EU 30.03.2015

W.P.No.2120 of 2015



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