

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.12.2015

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.No.40391 of 2015

K.Srinivasan

... Petitioner

Vs.

1. The Government of Tamil Nadu,
Rep. by Secretary to Government,
School Education Department,
Fort St. George, Chennai - 600 009.
2. The Director of Elementary Education,
College Road, Chennai - 600 006.
3. The District Elementary Educational Officer,
Krishnagiri District, Krishnagiri.
4. The Assistant Elementary Educational Officer,
Thali Panchayat Union, Thali,
Krishnagiri District. ... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to grant interest @ 12% per annum on the delayed payment of Provident Fund amount to the petitioner for the period from 31.07.2012 when the petitioner retired from service, till 20.01.2015 when the Provident Fund amount was deposited by the 4th respondent into the bank account of the petitioner, as per Rule 13(4) of the Tamil Nadu Provident Fund Rules.

For Petitioner : Mr.R.Saseetharan
For Respondents : Mr.V.Jayaprakash Narayanan
Special Government Pleader

O R D E R

The petitioner has come up with the present writ petition seeking for a direction to the respondents to grant interest at 12% per annum on the delayed payment of Provident Fund amount to the petitioner.

2. According to the petitioner, he retired from service on 31.07.2012 on attaining the age of superannuation. On the date of retirement, the respondents have not paid the entire provident fund amount as per the rules and the amount of Rs.5,65,475/- towards provident fund was paid on 20.01.2015.

3. It is the case of the petitioner that he is entitled for 12% interest on the delayed payment of Provident Fund and therefore, he sent a representation to the respondents on 23.09.2015. Since no order has been passed so far, the present writ petition has been filed.

4. Heard Mr.R.Saseetharan, learned counsel appearing for the petitioner and Mr.V.Jayaprakash Narayanan, learned Special Government Pleader, who accepts notice on behalf of the respondents.

5. Though the petitioner prayed for a larger relief, this court, in the light of the facts and circumstances and without going into the merits of the case, directs the respondents to consider the petitioner's representation dated 23.09.2015 and pass orders on merits and in accordance with law, within a period of sixteen weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

With the above said direction, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS III)

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Sub Assistant Registrar

sms

To

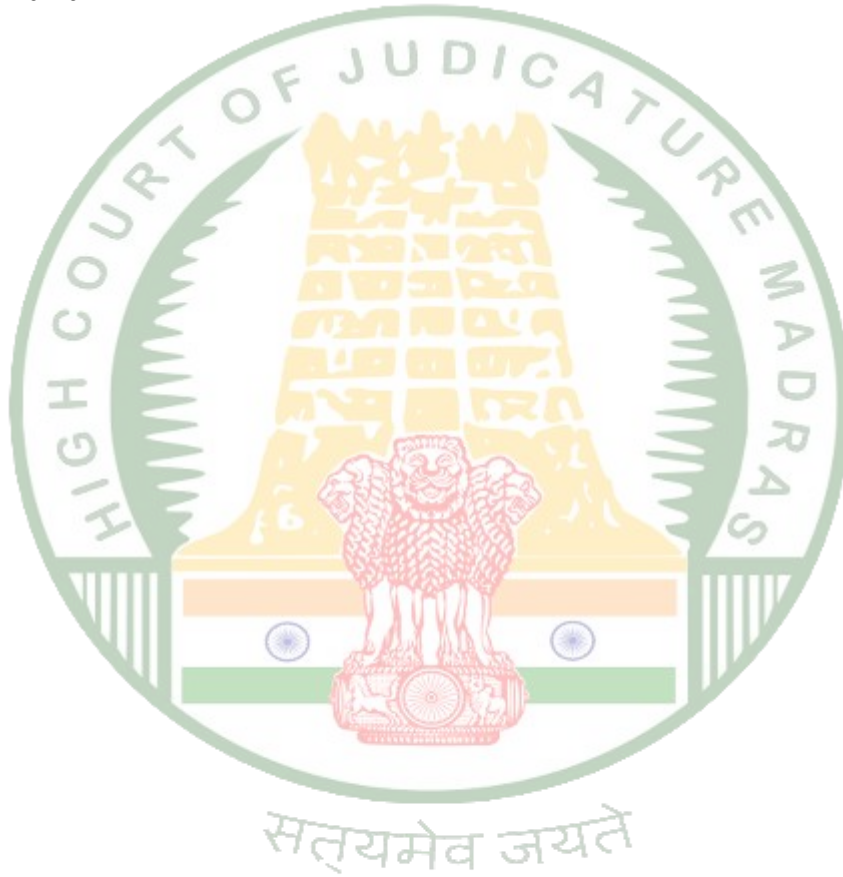
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+1 cc to Government Pleader, sr.69641

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