

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.08.2016

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

WP.No.15647 of 2014

MP.No.1 of 2015

1.P.Karunanithi
2.M.Muniammal
3.S.Ranababy
4.P.Sivagamiammal
5.R.Sitalaxmi
6.K.V.Jayakumar
7.J.P.Kumar
8.K.Govindan
9.M.Gopalakrishnan
10.Lakshmi K
11.M.Muniammal
12.S.Baby
13.R.Vedambal
14.M.Paciappan
15.P.Chellammal
16.V.Kannapiran
17.A.N.Jagadeesan
18.S.Kalaivani
19.N.Saroja
20.M.Thilgavathi
Petitioners

Vs

- 1.The State of Tamil Nadu by Secretary to Government Educational Department, Chennai-9
- 2.The Directorate of Elementary Education Officer Krishnagiri
- 3.The Assistant Elementary Educational Officer Kaveripattinam, Krishnagiri
- 4.The Deputy Director of Internal Audit Local Fund Audit Officer, Railway Station Road Dharmapuri
- 5.The Director of Elementary Education, DPI Compound College Road, Chennai-6 Respondents

Prayer:- This Writ Petition is filed to issue a Writ of Mandamus to direct the Respondents to pay the balance provident fund amounts along with fifth pay commission arrears and dearness allowance

arrears along with 12% interest on the delayed payment to all the Petitioners.

For Petitioner : Mr.M.Ravi

For Respondent : Mr.M.Sakthivel, GA-RR1to3

ORDER

This Writ Petition is filed to issue a Writ of Mandamus to direct the Respondents to pay the balance provident fund amounts along with fifth pay commission arrears and dearness allowance arrears along with 12% interest on the delayed payment to all the Petitioners.

2. This court heard the learned counsel on either side and also perused the materials placed on record.

3. According to the Petitioners, the Petitioners retired as Head Masters between 2001 and 2012 and their only grievance is that though almost 90% of the provident fund was paid to them, still 10% of the balance amount is yet to be paid and the fifth pay commission arrears was also not paid till date.

4. It is also the further case of the Petitioner that similarly placed persons filed WP.No.10595 of 2009, which was allowed by this court by order dated 6.1.2012, directing the Respondents to settle the provident fund balance amount and the dearness allowance arrears and also the fifth pay commission arrears. Pursuant to the same, GO.(1D) No.159 dated 31.05.2013, was issued, not only authorizing the payments as ordered by this court, but also authorising payment of 12% interest. Pursuant to the said GO, another batch of similarly placed persons filed WP.No.32207 of 2013 to get the benefits of the said GO and the said Writ Petition was also allowed by order dated 27.11.2013. Hence, according to the Petitioners herein, they are entitled to the same relief, as they are also similarly placed persons as that of the beneficiaries of the above said GO.

5. Even in the counter filed by the learned Government Advocate for the Respondents, the said position is admitted. Hence, since the Petitioners are also similarly placed persons as that of the beneficiaries of the said GO.1D.No.159 dated 31.5.2013, they are entitled to have the same relief as per the directions of this court made in earlier Writ Petitions in WP.Nos.10595 of 2009 and 32207 of 2013, dated 6.1.2012 and 27.11.2013, respectively. In view of the same, this Writ Petition is also disposed of, in terms of the orders of this court dated 6.1.2012 and 27.11.2013 made in WP.Nos.10595 of 2009 and 32207 of 2013 and GO.1D.No.159 dated 31.5.2013 and accordingly, necessary orders shall be passed by the Respondents within a period of three weeks from the date of receipt of a copy of this order. No costs. Consequently, the connected MP is closed.

Sd/-

Asst.Registrar

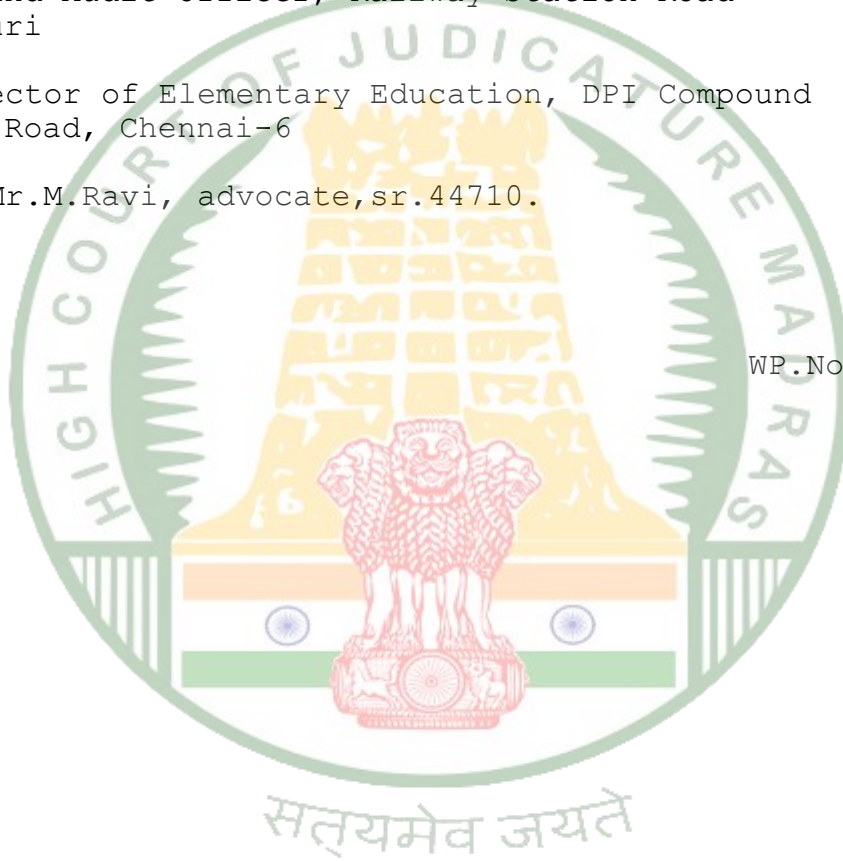
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To:

- 1.The Secretary to Government,State of Tamil Nadu
Educational Department, Chennai-9
 - 2.The Directorate of Elementary Education Officer
Krishnagiri
 - 3.The Assistant Elementary Educational Officer
Kaveripattinam, Krishnagiri
 - 4.The Deputy Director of Internal Audit
Local Fund Audit Officer, Railway Station Road
Dharmapuri
 - 5.The Director of Elementary Education, DPI Compound
College Road, Chennai-6
- +1 cc to Mr.M.Ravi, advocate,sr.44710.

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krd 18/8

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