

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.11.2016

CORAM

THE HONOURABLE Mr. JUSTICE M.S.RAMESH

W.P.No.17853 of 2013

S.Somasundaram

.. Petitioner

Vs

1. The Director of Elementary Education,
College Road, Chennai-6.
2. The Assistant Elementary Educational Officer,
Kunrathur at Padappai,
Kancheepuram District-601 301.
- 3.The Assistant Director,
Local Fund Audit,
Kancheepuram.
(R3-suo motu impleaded as per order
dated 19.08.2013)

.. Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for a writ of Mandamus directing the second respondent to consider the petitioner's representation dated 24.06.2013 for the payment of Provident Fund Account together with normal interest for Provident Fund Deposits and interest for belated payment as per Rule 13 Explanation 7 of the General Provident Fund (Tamil Nadu) Rules, and in light of the orders of this Court in W.P.No.26602 of 2005.

For Petitioner : Mr.A.Baskaran

For Respondents: Mr.K.Balamurugan

Addl. Govt. Pleader

ORDER

Heard Mr.A.Baskaran, learned counsel appearing for the petitioner and Mr.K.Balamurugan, learned Additional Government Pleader for the respondents.

2.The petitioner had given a representation dated 24.06.2013 to the second respondent for the payment of his Provident Fund together with normal interest on Provident Fund Deposits and interest for belated payment as per Rule 13 Explanation 7 of the General Provident Fund (Tamil Nadu) Rules. Since the representation was not considered by the second respondent, the present writ petition has been filed seeking a direction to the second respondent to consider his representation.

3.Today when the writ petition is taken up for hearing, learned counsel for the petitioner would submit that pending the writ petition, the second respondent had paid the entire Provident Fund amount due to the petitioner on 07.09.2013. However, his request for the interest on the Provident Fund Deposits and interest for belated payment has not been considered.

4.Under such circumstances, the petitioner is permitted to give a fresh representation to the respondents seeking for interest on the belated payment and interest on the provident fund deposit and on receipt of such representation, the second respondent is directed to consider the same and pass orders in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

5.While passing the order in the representation, the respondents shall bear in mind the various orders passed by this Court in granting interest on belated payments. The petitioner is also permitted to furnish a copy of such orders along with the representation.

6.With the above observation, this writ petition is disposed of. No costs.

Sd/-
Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

To

1. The Director of Elementary Education,
College Road, Chennai-6.
2. The Assistant Elementary Educational Officer,
Kunrathur at Padappai,
Kancheepuram District-601 301.
- 3.The Assistant Director,
Local Fund Audit,
Kancheepuram.

+1 cc to Mr.A.Baskaran,advocate,sr.64826

+1 cc to Govt.Pleader,sr.64962

ks(co)
krd 9/12

W.P.No.17853 of 2013