

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.09.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.33291 of 2016

K.Premavalli

... Petitioner

vs.

- 1.The Secretary to Government,
School Education Department,
Chennai-9.
- 2.The Director of Elementary Education,
College Road, Chennai-6.
- 3.The Additional Assistant Elementary
Educational Officer, Kundrathur at
Padappai, Kancheepuram District
Pin : 601 301.
- 4.The Assistant Director,
Local Fund Audit,
10/57, Sri Chandrasekara Saraswathi
Swamigal Street,
Bangara Amman Garden,
Kancheepuram,
Kancheepuram District.

... Respondents

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the 1st respondent to consider and pass orders on the petitioner's appeal dated 29.06.2016 regarding interest on the belated payment General Provident Fund as per Rule 13(4) of the G.P.F. (Tamil Nadu) Rules, a Special interest at 12% and in the light of the decision of Hon'ble Supreme Court (1974 (4) SCC 308 and 2006(1) L.W. Page 157) in W.P.No.26602 of 2005 dated 03.02.2006.

For Petitioner	:	Mr.A.Baskaran
For Respondents	:	Mr.S.Gunasekaran, Additional Government Pleader

ORDER

By consent, the Writ Petition itself is taken up for final disposal.

2. The Writ Petition has been filed seeking to issue a Writ of Mandamus, directing the 1st respondent to consider and pass orders on the petitioner's appeal dated 29.06.2016 regarding interest on the belated payment General Provident Fund as per Rule 13(4) of the G.P.F. (Tamil Nadu) Rules, a Special interest at 12% and in the light of the decision of the Hon'ble Supreme Court reported in 1974 (4) SCC 308 (State of Mysore v. C.R.Sheshadri) and a decision of this Court reported in 2006(1) L.W. Page 157 (P.V.Mahadevan v. M.D., The Tamil Nadu Housing Board) in W.P.No.26602 of 2005 dated 03.02.2006.

3. Heard the learned Counsel appearing for the petitioner as well as the learned Additional Government Pleader appearing for the respondents.

4. Though very many contentions have been raised in the Writ Petition, the scope of the prayer is very limited that is only to direct the 1st respondent to consider and pass orders on the petitioner's appeal dated 29.06.2016. Therefore, considering the very limited prayer made in the Writ Petition, without expressing any opinion regarding the merits of the claim made by the petitioner, this Court directs the 1st respondent to dispose of the appeal filed by the petitioner on 29.06.2016 on merits and in accordance with law, and also in the light of the decision of the Hon'ble Supreme Court reported in 1974 (4) SCC 308 (State of Mysore v. C.R.Sheshadri) and a decision of this Court reported in 2006(1) L.W. Page 157 (P.V.Mahadevan v. M.D., The Tamil Nadu Housing Board) in W.P.No.26602 of 2005 dated 03.02.2006, within a period of twelve weeks from the date of receipt of a copy of this Court.

5. The Writ Petition is disposed of accordingly. No costs.

sd/-
Asst. Registrar.

/true copy/

Sub Asst. Registrar.

tsi

To

- 1.The Secretary to Government,
School Education Department,
Chennai-9.
 - 2.The Director of Elementary Education,
College Road, Chennai-6.
 - 3.The Additional Assistant Elementary
Educational Officer, Kundrathur at
Padappai, Kancheepuram District
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Local Fund Audit,
10/57, Sri Chandrasekara Saraswathi
Swamigal Street, Bangara Amman Garden,
Kancheepuram, Kancheepuram District.
- +1 CC to A. Baskaran, Advocate Sr.No.54289
+1 CC to Government Pleader, Sr.No.54195

W.P.No.33291 of 2016

NR (CO)
MD : 14/10/2016

सत्यमेव जयते

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