

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.11.2016

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THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.37658 of 2016

S.Elizabeth

... Petitioner

Vs.

- 1 The State of Tamil Nadu
Rep by Secretary to Govt.,
School Education Department,
Fort St.George, Chennai – 600 009.
 - 2 The Director of Elementary Education,
College Road, Nungambakkam,
Chennai – 600 006.
 - 3 The District Elementary Educational Officer
Salem, Salem District.
 - 4 The Additional Assistant Elementary Educational Officer,
Salem Town, Salem District.
- ... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to consider and pass orders on the petitioner's representation dated 24.11.2014 and 02.02.2015 in regard to payment of balance GPF amount of Rs.49,861/- with 12% interest within a stipulated time as fixed by this Honourable Court.

For Petitioner : Mr.V.Thirupathi
For Respondents : Mr.O.R.Mahesvaren
Government Advocate (Edn.)

ORDER

By consent, the writ petition is taken up for final disposal.

2.The present writ petition has been filed seeking a Mandamus directing the respondents to consider and pass orders on the petitioner's representation dated 24.11.2014 and 02.02.2015 in regard to payment of balance GPF amount of Rs.49,861/- with 12% interest within a stipulated time as fixed by this Court.

3.The petitioner would state that she was appointed as a Secondary Grade Teacher on 11.10.1988 in the Municipal Middle School, Amma Pettai, Salem and was promoted as Municipality Elementary School Headmistress on 01.06.2010. She attained the age of superannuation on 31.07.2013, but was permitted to continue in service till the end of academic year i.e.31.05.2014.

4.The petitioner would further state that the respondents have paid the retirement benefits to her except the Provident Fund (GPF). The respondents have paid only a sum of Rs.2,87,637/- out of the

total amount of GPF of Rs.3,37,498/-. The petitioner in this regard, has made representations on 24.11.2014 and on 02.02.2015, but they have not been considered so far. Hence, this petition.

5.The learned counsel appearing for the petitioner would submit that the petitioner is entitled for the balance GPF amount of Rs.49,861/- along with interest.

6.Heard the submissions of the learned counsel appearing for the petitioner and the learned Government Advocate (Education) who take notice for the respondents.

7.Considering the submissions made on either side and without going into the merits of the claim made by the petitioner, this Court directs the respondents to consider the representations of the petitioner dated 24.11.2014 and 02.02.2015 in regard to the payment of balance GPF amount of Rs.49,861/- with 12% interest, on merits and in accordance with law and pass appropriate orders, within a period of six weeks from the date of receipt of a copy of this order.

8.It is made clear that this Court has not expressed any opinion

R.SUBBIAH,J.

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with regard to the merits of the claim made by the petitioner and it is for the respondents to decide the matter, purely on merits.

9.The writ petition is disposed of accordingly. No costs.

01.11.2016

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Index: Yes/ No

Internet: Yes/ No

To

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