



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.10.2016

C O R A M

WEB COPY

THE HONOURABLE DR.JUSTICE **S.VIMALA**

Writ Petition (MD) No.18892 of 2016

E.Emy Florence

.. Petitioner

Vs.

- 1.The State of Tamil Nadu  
Rep. by its Secretary,  
Department of School Education,  
Fort St.George, Chennai - 600 009.
- 2.The Accountant General,  
Office of the Accountant General,  
261, Annasalai, Chennai - 600 018.
- 3.The Director of School Education,  
College Road, Chennai - 600 009.
- 4.The Chief Educational Officer,  
Tirunelveli, Tirunelveli District.
- 5.The District Educational Officer,  
Cheranmahadevi, Tirunelveli District.
- 6.The Correspondent,  
CMSES David Memorial Higher  
Secondary School,  
Karisal - 627 414,  
Tirunelveli District.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to consider and pass order on the representation submitted by the petitioner, dated 31.07.2014 together with the reminder dated 02.07.2016 seeking to a continue under the Teacher Provident Fund Scheme i.e. Old Pension Scheme bearing Account No.336216.

For petitioner  
For R1 & R3 to R5  
<https://hcservices.ecourts.gov.in/hcservices/>  
For R2

... Mr.K.Ragatheesh Kumar  
... Mr.S.Kumar  
Additional Government Pleader  
... Mr.P.Gunasekaran

**ORDER**

The petitioner is a Post Graduate Assistant in Economics and she employed in the sixth respondent school from 03.06.2009. Earlier, she was employed as Post Graduate Assistant in economics on 04.09.2000 at Sevanmandir Girls' Higher Secondary School, Parangipettai, Chidambaram Taluk, Cuddalore District.

2.The petitioner was provided with Account No.336216 and she was contributing a sum of Rs.1,000/- towards Teachers Provident Fund from 04.09.2000. The fifth respondent approved the appointment of the petitioner on and from 03.09.2009. After joining in the second respondent school, the respondents did not deduct the Provident Fund from the salary of the petitioner. Therefore, the petitioner submitted a representation to the District Educational Officer, Tirunelveli District requesting him to continue her under the Teacher Provident Fund Scheme i.e. the Old Pension Scheme bearing Account No.336216 and there was no response. Hence, reminders were sent and the same were also not considered and hence, the petitioner has filed this writ petition.

3.Under the above stated circumstances, the respondents are directed to consider the representation of the petitioner dated 31.07.2014 and to pass orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar(CO)

/True copy/

Sub Assistant Registrar

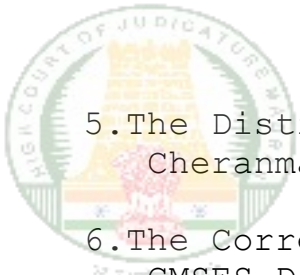
To

1.The Secretary,  
Department of School Education,  
Fort St.George, Chennai - 600 009.

2.The Accountant General,  
Office of the Accountant General,  
261, Annasalai, Chennai - 600 018.

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6.The Correspondent,  
CMSES David Memorial Higher  
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Karisal - 627 414, Tirunelveli District.

+1 cc to M/s.P.Gunasekaran, Advocate in SR.No.58519  
+1 cc to M/s.K.Ragatheesh Kumar, Advocate in SR.No.58246  
+1 cc to The Special Government Pleader in SR.No.58299

rj2  
CSL/SS-2/04.11.2016 :3P/10C

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