



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.10.2016

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WEB COPY

THE HON'BLE Dr.JUSTICE S.VIMALAW.P(MD) No.20554 of 2016

S.Selvamani

... Petitioner

-vs-

1.State of Tamil Nadu,
rep.by its Principal Secretary,
School Education Department,
Fort St.George,
Chennai - 9.

2.The Director of Elementary Education,
DPI Campus,
Chennai.

3.The District Elementary Educational Officer,
Sivagangai,
Sivagangai District.

4.The Assistant Elementary Educational Officer,
S.Pudur - 630 410,
Sivagangai District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the Respondent No.4 to provide the part final withdrawal amount from the general provident fund to the tune of Rs.2,04,400/- (Two Lakh Four Thousand Four Hundred Rupees only) and encashment of earned leave surrender for 30 days for the year 2015 and 2016 to the petitioner within the time period stipulated by this Court.

For Petitioner : Mr.T.Lajapathi Roy

For Respondents : Mr.M.Murugan,
Government Advocate**O R D E R**

This Writ petition has been filed for the issuance of a writ of mandamus, seeking a direction to the fourth respondent to provide the part final withdrawal amount from the General Provident Fund to the tune of Rs.2,04,400/- and encashment of



earned leave surrender for 30 days for the year 2015 and 2016 to the petitioner.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate, who takes notice for the respondents. By consent the writ petition itself is taken up for final disposal at the admission stage.

3. The petitioner is working as Headmaster in the Panchayat Union Middle School, Dharmapatti. He submitted a representation dated 08.08.2014 to the fourth respondent, requesting him to grant the part final withdrawal amount from the General Provident Fund of Rs.2,04,400/-. He has also sent a representation dated 09.09.2016 seeking encashment of earned leave surrender for 30 days for the year 2015-2016. As both the representations are not considered, the petitioner has come forward with this Writ petition.

4. The learned counsel for the petitioner would submit that it is the duty of the fourth respondent to consider those representations and to sanction the part final withdrawal amount from GPF as well as encashment of earned leave.

5. The learned Government Advocate appearing for the respondents would submit that the fourth respondent will consider the representations and to pass orders within a period of four weeks.

6. Accordingly, the fourth respondent is directed to consider the representations of the petitioner dated 08.08.2016 and 09.09.2016 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.

7. The Writ Petition is disposed of with the above direction. No costs. Consequently, WMP(MD)No.14713 of 2016 is closed.

Sd/-

Assistant Registrar(RTI)

/True copy/

Sub Assistant Registrar

To

1. Principal Secretary,
State of Tamil Nadu,
School Education Department,
Fort St. George, Chennai - 9.

<https://hcservices.ecourts.gov.in/hcservices/>

2. The Director of Elementary Education,
DPI Campus, Chennai.



3.The District Elementary Educational Officer,
Sivagangai,
Sivagangai District.

4.The Assistant Elementary Educational Officer,
S.Pudur - 630 410,
Sivagangai District.

+1 cc to M/s.T.Lajapathi Roy, Advocate in SR.No. 64805

+1 cc to The Special Government Pleader in SR.No. 64738

mj

CSL/PV/15.11.2016: 3P/7C

W.P (MD) No.20554 of 2016
26.10.2016