

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 13.02.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.3512 of 2017

S.Selvi

... Petitioner

Vs.

- 1.The Government of Tamil Nadu
rep by its Secretary to Government,
Forest and Environment Department,
Fort St.George, Chennai - 600 009.
- 2.The Principal Chief Conservator of Forests,
Panagal Building, Saidapet,
Chennai - 600 015.
- 3.The Divisional Forest Officer,
Social Forestry Division, Vellore - 9.
- 4.The Forest Range Officer,
Social Forestry Range,
Odugathur, Vellore District.
- 5.The Divisional Forest Officer,
Rural Division (Firewoods),
Thirupathur,
Vellore District.
- 6.The Director of Pensions,
No.259, Anna Salai,
3rd Block, 2nd Floor,
DMS Complex, Teynampet,
Chennai - 600 006.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, for the issuance of writ of mandamus, directing the respondents 1 to 3 to make the PF payment of the petitioner's husband's PF account No.5911 to her.

For Petitioner : Mr.V.Vargees Amal Raja
For Respondents: Mr.N.Inbanathan,
Government Advocate (Forest)

O R D E R

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

2. The petitioner would aver that her husband Late G.Selvam was appointed as Social Forest Worker (Casual Labour) at Social Forestry Range, Vellore on 01.07.1980 and his seniority number was 962 and PF account No.5911. The petitioner would further aver that the services of her husband was regularized on 07.08.2009 and he was given posting as a Forest Watcher. The husband of the petitioner retired from service on 30.06.2014. Unfortunately, he died after a few days on 19.07.2014. The petitioner, after the demise of her husband, had approached the respondents for PF settlement and she has also made very many oral representations and series of written representations. She has also submitted a representation to the Chief Minister's Grievance Cell. The petitioner was informed by the 6th respondent, vide letter dated 17.06.2014 in O.Mu.3095/2014/H3 addressed to the Special Officer of the Hon'ble Chief Minister's Grievance Cell with a copy marked to the petitioner that a sum of Rs.81,686/-, by way of a Demand Draft bearing No.196000, dated 14.10.2009, has been sent to the Office of the 5th respondent, however, she is yet to receive the Demand Draft. It is further averred by the petitioner that the 3rd respondent also sent a communication to the 5th respondent calling upon her to send the Demand Draft to her Office with regard to the PF of the petitioner's husband and for that communication also no response is forthcoming, the petitioner has also submitted a representation dated 31.10.2016 to the 3rd respondent praying for settlement of the PF amount. Despite receipt and acknowledgment, so far no orders have been passed and came forward to file this Writ Petition.

3. Heard the submissions of the learned counsel appearing for the petitioner and Mr.N.Inbanathan, learned Government Advocate (Forest), who accepts notice on behalf of the respondents 1 to 5.

4. Though the petitioner prays for larger relief, this Court in the light of the above facts and circumstances and without going into the merits of the claim projected by the petitioner, permits the petitioner to submit one more representation to the respondents 3 to 6 along with a copy of this order as well as a copy of her earlier representation dated 31.10.2016 within a period of two weeks from the date of receipt of a copy of this order. Upon receipt of the same, the respondents 3 to 6 are directed to consider the said representation, on merits and in accordance with law and settle

the PF dues/arrears and pass appropriate orders as to the settlement of PF arrears in favour of the petitioner within a further period of six weeks thereafter and communicate the decision taken, to the petitioner.

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

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

To

1.The Secretary to Government of Tamil Nadu
Forest and Environment Department,
Fort St.George, Chennai - 600 009.

2.The Principal Chief Conservator of Forests,
Panagal Building, Saidapet,
Chennai - 600 015.

3.The Divisional Forest Officer,
Social Forestry Division,
Vellore - 9.

4.The Forest Range Officer,
Social Forestry Range,
Odugathur, Vellore District.

5.The Divisional Forest Officer,
Rural Division (Firewoods),
Thirupathur,
Vellore District.

6.The Director of Pensions,
No.259, Anna Salai,
3rd Block, 2nd Floor,
DMS Complex, Teynampet,
Chennai - 600 006.

+1cc to the Special Government Pleader Sr.9292
+1cc to Mr.V.Vargees Amal Raja, Advocate Sr.9146

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srg 22/2/2015