

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.07.2018

CORAM:

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

W.P. No.34285 of 2013

Premchand Ranka

.. Petitioner

Vs.

1. The Sub Post Master,
Sowcarpet Post Office,
Sowcarpet, Chennai.

2. The Superintendent of Post,
Office of the Superintendent of Post,
1st Line Beach Road, Chennai North,
Chennai - 6.

3. The Director,
Department of Post,
Chennai - 600 002.

... Respondents

PRAYER:

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the respondents to close the petitioner's PPF UHF account bearing No.1032773 with effect from 30.09.2013 and pay the sum due to the petitioner together with agreed interest till the date of entire payment.

For Petitioner : Mr.B.Sundharlingam

For Respondents : Mr.R.Veludas,
Central Government Standing Counsel

ORDER

Heard Mr.B.Sundharlingam, learned counsel for the petitioner; Mr.R.Veludas, learned Central Government Standing Counsel for the respondents and perused the materials available on record.

2. This Writ Petition has been filed for issuance of Writ of Mandamus, directing the respondents to close the petitioner's PPF UHF account bearing No.1032773 with effect from

30.09.2013 and pay the due to the petitioner together with interest till the date of payment.

3. It seems that the petitioner had opened a HUF account in the first respondent Office in the year 1992 and was regularly depositing in the account. According to the petitioner, as per the entry made in the passbook, he is entitled for Rs.5,49,139/-, but, the respondents submitted that the account as per the Scheme got matured in the year 2011 and thereafter, the petitioner is not entitled for interest. The respondents would state that the petitioner is entitled for refund of total amount of Rs.4,23,116/-.

4. The learned counsel for the petitioner submitted that admittedly even after the account got matured, the respondent has received Rs.1,70,000/- from the petitioner and hence, the petitioner is entitled interest for that amount also.

5. The learned Central Government Standing Counsel for the respondents, by referring Gazette Notification issued by the Ministry of Finance, dated 07.12.2010 would state that the HUF account opened by the petitioner matured after expiry of 15 years and they shall also be closed at the end of the current year, viz., 31st March 2011.

6. When the Government has already issued a notification in exercising the powers conferred under sub-section (4) of Section 3 of Public Provident Fund Act, 1968, the petitioner has no right to seek for interest after the maturity of the account.

7. In that view of the matter, this Court directs the first respondent to close the account of the petitioner and pay a sum of * Rs.4,23,116/- forthwith.

8. With the above direction, the Writ Petition is disposed of. There is no order as to costs.

Sd/-

Assistant Registrar(CO)

16.07.2018

***Corrected as per order of
this Court dated 03.07.2018
made in W.P.No.34285 of 2013**

//True Copy//

-s/d-

**Assistant Registrar(CO)
dated 14.08.2018**

Sub Assistant Registrar

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To

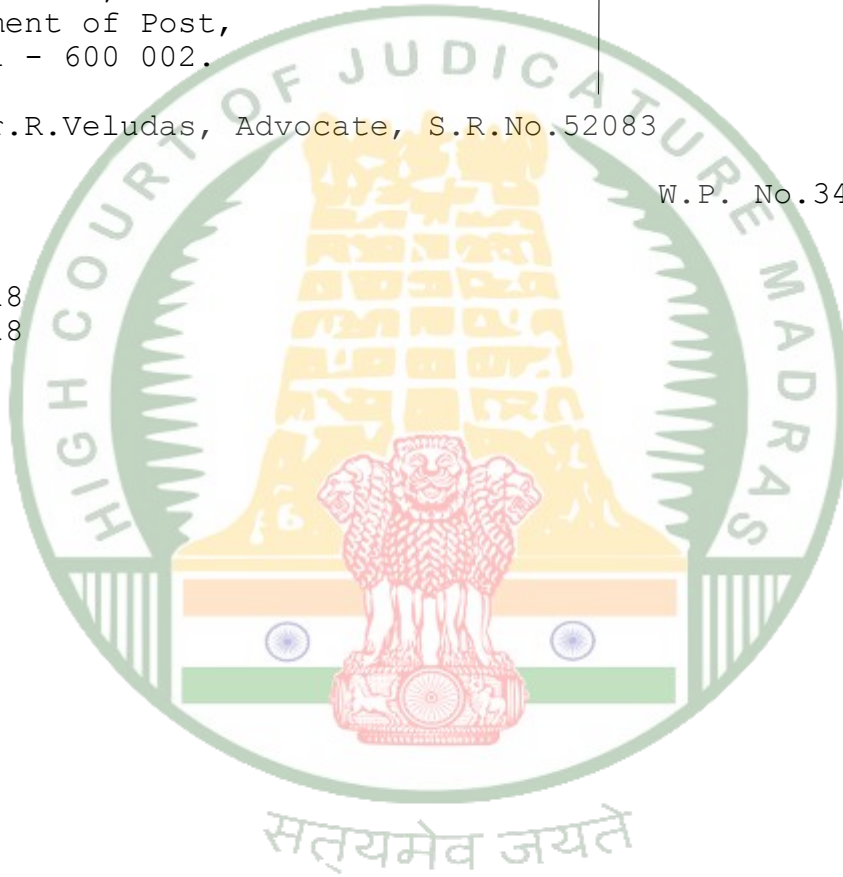
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**To be substituted
to the order already
despatched on
03.07.2018**

+1cc to Mr.R.Veludas, Advocate, S.R.No.52083

W.P. No.34285 of 2013

SSD(CO)
CS/17/07/18
CS/20/08/18



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