



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.09.2018

CORAM

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THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P (MD) .No.9437 of 2015

R.Sugadev

... Petitioner

Vs.

- 1) The Director,
O/o Audit Office,
Local Administration,
Kuralagam, Broadway,
Chennai 600 108
- 2) The Assistant Director,
Local Fund Audit Office,
Dindigul.
- 3) The Commissioner,
Local Administration,
Natham,
Dindigul.

... Respondents

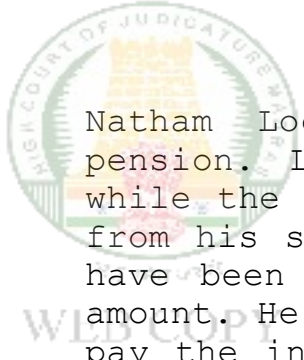
PRAYER: Writ Petition has been filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the 2nd and 3rd respondents to disburse the interest amount on provident fund to the petitioner by considering the representation dated 16.04.2015.

For Petitioner	:	Mr.S.Mahesh Babu
For Respondents	:	Mr.R.Sethuraman, Special Government Pleader

O R D E R

The petitioner has come forward with this Writ Petition seeking for the belated payment of interest on the provident fund and issue a direction to the 2nd and 3rd respondents to disburse the interest amount on provident fund to the petitioner by considering his representation dated 16.04.2015.

2. The case of the petitioner is that, the petitioner retired from service 18 years ago, working as Office Assistant in the



Natham Local Administration and now, he has been receiving pension. Learned counsel for the petitioner would submit that, while the petitioner was in service, provident fund was recovered from his salary and after retirement, all the retirement benefits have been disbursed except the interest upon the provident fund amount. He would further submit that the respondents are liable to pay the interest upon the provident fund, on the basis of 5th Pay Commission.

3. Aggrieved by the same, the petitioner along with 28 other retired employees made their representations to the 1st respondent to sanction the provident fund interest for the period from 1989 - 90 to 2010-2011 which comes to a tune of Rs.14,07,447/-. As per the orders of the 1st respondent, the third respondent had disbursed nearly Rs.6,99,257/- to the retired employees including the petitioner and the remaining interest on provident fund is Rs.7,08,190/- is yet to be disbursed by the third respondent to the petitioner and others. Learned counsel for the petitioner would submit that the petitioner has made his representation, dated 16.04.2015 to the third respondent seeking for the disbursement of the same, but no action has been taken till date.

4. In the counter affidavit, learned counsel appearing for the respondents has stated that a letter in Roc. No.4096/2013/A1 dated 30.12.2014 has been sent to the Assistant Director of Local Fund, Dindigul for clarification to release the remaining period interest (i.e.,) after retirement date onwards and the clarification in this regard, is awaited.

5. Heard the learned counsel for the petitioner as well as the learned Special Government Pleader appearing for the respondents and also perused the materials placed on record.

6. Considering the facts and circumstances of the case, this Court directs the respondents to release the interest on the Provident Fund credit due to the petitioner at 8% per annum, from the date it became due and the arrear interest amount shall also be paid within a period of two months from the date of receipt of a copy of this order.

7. With these directions, this **Writ Petition is disposed of.** However, there shall be no order as to costs.

Sd/-
Assistant Registrar (Crl.side)

/True Copy/



- 1) The Director,
O/o Audit Office,
Local Administration,
Kuralagam, Broadway,
Chennai 600 108
- 2) The Assistant Director,
Local Fund Audit Office,
Dindigul.
- 3) The Commissioner,
Local Administration,
Natham,
Dindigul.

+ 1 CC TO Mr.S.MAHESH BABU, ADVOCATE IN SR No. 82561
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 82814

STS

TE/SKN/SAR-4 : 15/11/2018 : 3P/6C

Order made in
W.P (MD) .No.9437 of 2015
05.09.2018