

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.02.2020

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P No.2704 of 2020

R.Mathalaimary

Petitioner

vs.

1. The Director,
Directorate of School Education,
Director of School Education,
DPI Campus, Chennai.
Chennai - 600 006.
 2. The Director,
Elementary Education Department,
College Road,
Chennai - 600 006.
 3. The District Elementary Education Officer,
Virudhachalam Taluk,
Kattu Kudalore Road,
Cuddalore - 606 001.
 4. Assistant Elementary Education Officer,
Assistant Elementary Education Office,
Kammapuram Post,
Vridhachalam Taluk,
Cuddalore District - 606 103.
- Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to pay the Provident Fund amount of Rs.2,09,868 along with interest at the rate of 12 percent from 30.06.2013 to till the date of realization, within the time stipulated by this Court.

For Petitioner	: Mr.B.Vijay
For Respondents	: Mrs.V.Anna Lakshmi Government Advocate

O R D E R

This writ petition has been filed for issuance of a writ of mandamus directing the respondents to pay the

provident fund amount that is due and payable to the petitioner with interest.

2.The case of the petitioner is that she retired from service as Middle School Headmaster on 30.06.2013. It was found that the provident fund contributions made by the teachers belonging to the Government Schools was misappropriated by a Junior Assistant to the tune of Rs.30,00,000/- Immediately, after this came to the knowledge of the respondents, disciplinary proceeding were initiated against him and a police complaint was also given against him. In view of this development, the provident fund contribution of the petitioner was not settled to her. The petitioner made several representations and since the same did not evoke any response, the present writ petition has been filed before this Court.

3.Heard the learned counsel for the petitioner and the learned counsel appearing on behalf of the respondents.

4.Taking into consideration the facts and circumstances of the case and also of the fact that, the petitioner is entitled to receive the provident fund contribution and the same cannot be delayed just because disciplinary proceedings and criminal proceedings are pending against the delinquent employee who misappropriated the provident fund contributions of many teachers, there shall be a direction to the 3rd and 4th respondents to consider the representation made by the petitioner on 06.02.2019 and pass appropriate orders settling the entire provident fund contribution to the petitioner within a period of four weeks from the date of receipt of copy of this order. The petitioner is directed to make a fresh representation to the 3rd and 4th respondents along with a copy of the representation dated 06.02.2019 and a copy of this order.

5.This writ petition is disposed of with the above directions. No Costs.

Sd/-
Assistant Registrar(CS I)

//True Copy//

Sub Assistant Registrar

ssr

To

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Cuddalore District - 606 103.

+1cc to Mr.B.Vijay, Advocate, S.R.No.15633

+1cc to the Government Pleader, S.R.No.16236

W.P No.2704 of 2020

PVS (CO)
maya (29/05/2020)

सत्यमेव जयते

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