

IN THE HIGH COURT OF JUDICATURE AT MADRAS  
DATED 22.03.2021  
CORAM :  
THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN  
W.P.No.7417 of 2021

K. Seetha ... Petitioner  
Vs

1. The Chief Educational Officer,  
Chief Education Officer's office,  
Ranipet 632 401.
2. The District Education Office,  
District Education Officer's Office,  
Arakkonam District,  
Arakkonam.
3. The Head Master,  
Government Higher Secondary School,  
Nagavedu,  
Vellore District. ... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus directing the respondents to disburse the final surrender settlement and Special Provident Fund amount of the petitioner, within the timeframe that may be fixed by this Honourable Court.

For Petitioner : Mr.K.Thilageswaran

For respondents : Mr.P.Raja  
Government Advocate

O R D E R

This writ petition has been filed directing the respondents to disburse the final surrender settlement and Special Provident Fund amount of the petitioner.

2. Mr.P.Raja, learned Government Advocate takes notice for respondents. By consent, the Writ Petition is taken up for final disposal at the admission stage.

3. The case of the petitioner is that the petitioner was working as Head Mistress in the Government Higher Secondary School, Nagavedu, Arakonam, Vellore district/third respondent and retired on 31.05.2019. Except final surrender settlement and SPF amount she received all her retirement benefits. On

31.10.2019 she also attached a bank chellan (10% of taxable U.E.L amount) as insisted for income tax statement and sent the same on 08.07.2020. But till date the settlement has not been made. Hence, the petitioner has filed the present writ petition.

6. Heard the learned counsel appearing on either side and perused the materials available on record.

7. Considering the facts and circumstances of the case and taking into account the fact that the petitioner's representation is already pending with the respondents and if the representation is not already disposed of earlier, the Writ Petition is disposed of with the following directions:

i) A direction is issued to the respondents herein to consider the representations preferred by the petitioner dated 04.10.2020 and 16.12.2020, if the petitioner is found to be eligible and pass appropriate orders thereon, in accordance with law, after affording an opportunity of hearing to the petitioner and other persons, if any, who are likely to be affected, as expeditiously as possible, preferably within a period of 120 days from the date of receipt of a copy of this order;

ii) In case the petitioner is unable to appear for personal hearing, the petitioner is entitled to send a written submission within a period of one month from the date of receipt of a copy of this order through registered post or speed post and the same shall be treated as personal hearing. It is made clear that the petitioner can avail the opportunity of either personal hearing or filing written submission and not both;

iii) In case the petitioner fails to appear or file a written submission in time, the respondent shall pass orders based on the available records and the petitioner, cannot at a later point of time take a stand that opportunity of being heard is not given to the petitioner;

iv) The petitioner shall furnish Mobile Number, email ID, if any, etc., along with a copy of the representations dated 04.10.2020 and 16.12.2020 and this order, to the respondent forthwith;

v) The respondents are directed to communicate the decision taken on the representation, to the petitioner within a period of three weeks from the date of decision taken thereon, by way of SMS/Email/registered post/speed post, so that there is no need for the petitioner to file contempt after expiry of the specified period. In case the authorities concerned fail to send communication to the petitioner, they will have to face the civil imprisonment in case of contempt proceedings. If they are

unable to serve the order and the cover being returned un-served for one reason or the other, the same shall be kept in the file without opening it for the proof of delivery, so that the petitioner, later on, will not take a plea that the petitioner is not aware of the order. No costs.

Sd/-

Assistant Registrar(CS VII)

/TRUE COPY/

Sub-Assistant Registrar

dpq

To

1. The Chief Educational Officer,  
Chief Education Officer's office,  
Ranipet 632 401.
2. The District Education Office,  
District Education Officer's Office,  
Arakkonam District,  
Arakkonam.
3. The Head Master,  
Government Higher Secondary School,  
Nagavedu,  
Vellore District.

+1CC TO MR.K.THILAGESWARAN, ADVOCATE, SR.NO. 18721

+1CC TO M/S.SPECIAL GOVERNMENT PLEADER, SR.NO. 18621

W.P.No.7417 of 2021

GPL (CO)

KKN 22.04.2021

सत्यमेव जयते

WEB COPY