



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.03.2021

CORAM:

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P. (MD)No.24866 of 2016

Anbin Jothi

... Petitioner

Vs.

1. The State of Tamil Nadu,
rep by its Secretary,
Department of School Education,
Fort St.George, Chennai-600 009.
2. The Accountant General,
Office of the Accountant General,
261, Anna Salai,
Chennai-600 018.
3. The Commissioner,
Government Data Centre,
Anna University Campus,
Gandhi Mandapam Road,
Chennai-600 028.
4. The Director of Elementary Education,
College Road, Chennai-600 006.
5. The District Elementary Educational Officer,
Tirunelveli,
Tirunelveli District.
6. The Additional Assistant Elementary Educational Officer,
Cheranmahadevi, Tirunelveli District.
7. The Headmaster,
Government Higher Secondary School,
Pottal,
Cheranmahadevi Union,
Tirunelveli District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents particularly 6th respondent to pay the eligible interest amount from 23.02.1990 to 04.05.2016 for the missing fund credited



in the petitioner's TPF account from 01.07.1994 up to 04.08.1996, which was already transferred in the petitioner's GPF account No.EDN 135544 on 04.05.2016 from the petitioner's TPF account No.567592.

For Petitioners : Mr.R.Russel Raj
For R1, R3 to R7 : Mr.C.M.Marichelliah Prabhu
Additional Government Pleader
For R2 : Mr.P.Gunasekaran

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O R D E R

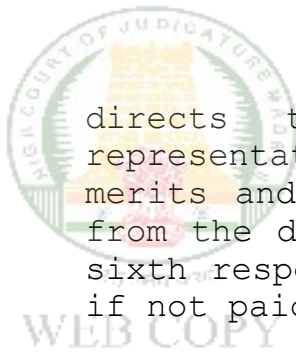
This writ petition is filed for a direction to the sixth respondent to pay the eligible interest amount from the period of 23.02.1990 to 04.05.2016 for the missing fund credited in the petitioner's TPF account from 01.07.1994 up to 04.08.1996, which was already transferred in the petitioner's GPF account No.EDN 135544, on 04.05.2016 from the petitioner's TPF account No.567592.

2.The case of the petitioners is that he was appointed as Secondary Grade Teacher, on 01.06.1988 in Panchayat Union Middle School, Kalinjoor, Mottoor and subsequently, she worked in Panchayat Union Primary School, Pranchery from 23.02.1990 to 30.06.1994. When she was working in Panchayat Union Middle School, her provident fund had credited in her Teacher's Provident Fund Account No.567591. Thereafter, the said Panchayat Union Middle School was upgraded into Government Higher Secondary School and her service was regularized and she joined in the Government Higher Secondary School as a Secondary Grade Teacher. Hence, the petitioner's Teachers Provident Fund Account was transferred as General Provident Fund Account, in the education department and there was a delay in transferring the said account. Since the delay was occurred for transferring the account, the petitioner is at eligible to get interest for the delayed period. In this regard, the petitioner has made a representation on 11.11.2015 to the sixth respondent. Till date, no action has been taken by the respondents. Hence, the present Writ Petition is filed.

3.The learned counsel appearing for the petitioner submitted that this Court may issue a direction to the sixth respondent to consider the petitioner's representation dated 11.11.2015, on merits and in accordance with law, within the stipulated time as fixed by this Court.

4.The learned Additional Government Pleader appearing for the respondents 1, 3 to 7 submitted that the petitioner's representation dated 11.11.2015 will be considered within the reasonable time as fixed by this Court.

5.Considering the facts and circumstances of the case, this Court, not expressing any opinion on the merits of the matter,



directs the sixth respondent to consider the petitioner's representation, dated 11.11.2015 and pass appropriate orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order, if any delay, the sixth respondent shall pay the statutory interest to the petitioner, if not paid already.

6.With the above direction, this Writ Petition is disposed of.
No Costs.

Sd/-
Assistant Registrar (T&P)

// True Copy //

/ /2021
Sub Assistant Registrar(CS-)

To

1. The Secretary,
State of Tamil Nadu,
Department of School Education,
Fort St.George, Chennai-600 009.
2. The Commissioner,
Government Data Centre,
Anna University Campus,
Gandhi Mandapam Road,
Chennai-600 028.
3. The Director of Elementary Education,
College Road, Chennai-600 006.
4. The District Elementary Educational Officer,
Tirunelveli, Tirunelveli District.
5. The Additional Assistant Elementary Educational Officer,
Cheranmahadevi, Tirunelveli District.
6. The Headmaster,
Government Higher Secondary School,
Pottal, Cheranmahadevi Union,
Tirunelveli District.

+1 CC to SPECIAL GOVERNMENT PLEADER (SR-8405[F] dated 03/03/2021)
+1 CC to Mr.P.GUNASEKARAN, Advocate (SR-8666[F] dated 04/03/2021)

NS

TE : 17/03/2021 : 3P/9C

W.P.(MD)No.24866 of 2016
02.03.2021