



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.02.2022

CORAM

THE HONOURABLE MRS.JUSTICE **S.SRIMATHY**

W.P. (MD)No.13976 of 2010

P.Robert Amanson

... Petitioner

vs.

- 1.The District Elementary Educational Officer,
Perambalur, Perambalur District.
- 2.The District Elementary Educational Officer,
Tuticorin District.
- 3.The Assistant Elementary Educational Officer,
Perambalur, Perambalur District.
- 4.The Assistant Elementary Educational Officer,
Sattankulam, Tuticorin District.
- 5.The Commissioner,
Government DATA Centre,
Chennai.
- 6.The Director of Elementary Education,
DPI Complex, College,
Chennai-600 006.
- 7.The Principal Accountant General (A&E),
Chennai-18.
- 8.The Assistant Elementary Educational Officer,
V.K.Pudur, Tirunelveli District.
- 9.The Assistant Elementary Educational Officer,
Kanyakumari, Kanyakumari District.
- 10.The Head Master,
Government Higher Secondary School,
V.K.Pudur, Tirunelveli District.

... Respondents

***(R5 to R10 impleaded, vide Court order,
dated 23.02.2022, in W.M.P. (MD)No.19249
of 2019 in W.P. (MD)No.13976 of 2010)***

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the Respondents to release the petitioner's teacher's provident fund amount towards the



TPF Account No.591675 for the period from 02-11-1987 to 12-06-1997 along with interest i.e., for the period the petitioner worked in Panchayat Union Middle School, Ayyalur, Perambalur District from 02-11-1987 to 10-07-1995 and Panchayat Union Middle School, Kombankulam, Tuticorin District, from 11-07-1995 to 12-06-1997.

WEB COPY

For Petitioner : Mr.T.Arul
For R1 to 4, 6
and 8 to 10 : Mr.V.Om Prakash
Government Advocate (Civil side)
For R5 : M/s.D.Farjana Ghoushia
Special Government Pleader
For R7 : Mr.P.Gunasekaran

O R D E R

This Writ Petition is filed for issuance of Writ of Mandamus, to direct the Respondents to release the petitioner teacher's provident fund amount towards the TPF Account No.591675 for the period from 02-11-1987 to 12-06-1997 along with interest i.e., for the period the petitioner worked in Panchayat Union Middle School, Ayyalur, Perambalur District from 02-11-1987 to 10-07-1995 and Panchayat Union Middle School, Kombankulam, Tuticorin District, from 11-07-1995 to 12-06-1997.

2.The contention of the petitioner is that the petitioner had worked in the Panchayat Union Middle School, Ayyalur, Perambalur from 02.11.1987 to 10.07.1995 and the said Teacher's Provident Fund account was not transferred to subsequent transferred places. The petitioner was appointed in the Panchayat Union Middle School, Ariyalur on 02.11.1987 then he was transferred to Panchayat Union Middle School, Kombankulam, on 11.07.1985. From the Panchayat Union service, the petitioner was transferred to Government service in High School, Chemmankalai, Kanyakumari District from 13.06.1997. Thereafter, he was transferred to various Schools and finally he attained superannuation on 31.05.2008. The petitioner claims that his Teacher's Provident Fund was not transferred from the Panchayat Union Middle School service to Government School service from 02.11.1987 to 10.07.1985 in Ayyalur, then from 11.07.1995 to 12.06.1997 in Panchayat Union Middle School, Kombankulam.

3.The contention of the respondents are that the petitioner ought to have raised the objection at the earliest point of time. Every year the account statement would be issued to the employees. Since the petitioner has not raised this issue at the earliest point of time, the petitioner is not entitled to.

4.The contention of the Accountant General is that, in the case of the petitioner the Teachers Provident Fund was started from



zero only from the Government School service. Since the Government High School, Chemmankalai has transferred the particulars of the petitioner from the year 1997, the service from 1987 to 1997 rendered in Panchayat Union School was not transferred.

5. Since the Teachers Provident Fund is a property of the petitioner, delay and other technical objections cannot be entertained. Therefore, the respondents are directed to transfer the Teachers Provident Fund from 1987 to 1997 to the seventh respondent at the earliest so as the petitioner is getting the benefits. The petitioner is already 72 years old. The respondents are directed to pay the amount with accrued interest within a period of eight weeks from the date of receipt of a copy of this order. The respondents 1 to 10 shall work in coordination so that the issue of the petitioner is resolved at the earliest. The said exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order. The petitioner is also directed to submit a representation along with the copy of this order.

6. Therefore, the Writ Petition is allowed with the above direction. No costs.

Sd/-

Assistant Registrar (Protocol)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Tmg

Note:

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate/litigant concerned.

To

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V.K.Pudur, Tirunelveli District.

9.The Commissioner,
Government DATA Centre,
Chennai.

10.The Principal Accountant General (A&E),
Chennai-18.

+1 CC to M/s.T.ARUL, Advocate (SR-8454[F] dated 24/02/2022)

+1 CC to M/s.SPL GP (SR-8290, 8318 [F] dated 24/02/2022)

W.P.(MD)No.13976 of 2010
23.02.2022

RD(24.03.2022) 4P 13C