



W.P.(MD).No.16231 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.07.2023

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.16231 of 2023

U.Rani

... Petitioner

Vs.

1.The Additional Chief Secretary to Government,
Social Welfare and Women Empowerment Department,
Secretariat,
Chennai-600 009.

2.The Director / Commissioner,
Social Welfare and Women Empowerment Department,
Panagal Maligai,
Saidapet,
Chennai-600 015.

3.The District Project Officer,
Integrated Child Development Project Office,
Collectorate Complex,
Virudhunagar-626 204.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the first respondent i.e., the Additional Chief Secretary to Government, Social Welfare and Women Empowerment Department, Chennai to disburse the Special Provident Fund to



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the petitioner which is her own contribution and the contribution of the Government, within a specified time frame that may be fixed by this Court.

For Petitioner : Mr.S.Visvalingam

For Respondents : Mr.M.Prakash
Additional Government Pleader

ORDER

The present Writ Petition has been filed for a Mandamus, directing the first respondent, that is, the Additional Chief Secretary to Government, Social Welfare and Women Empowerment Department, Chennai to disburse the Special Provident Fund to the petitioner which is her own contribution and the contribution of the Government.

2. By consent of both the parties, this Writ Petition is taken up for final disposal.

3. The petitioner was serving as a Child Development Project Officer, Srivilliputhur, Virudhunagar District under the control of the District Project Officer, Integrated Child Development Project Office, Virudhunagar situated in the Collector's Office, Virudhunagar. The petitioner was superannuated on



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30.06.2022. The District Project Officer, Integrated Child Development Project Office, Virudhunagar in his letter No.R.C.859/A1/2022 dated 23.01.2023 has intimated the petitioner that there is no entry regarding the recovery of first subscription of Special Provident Fund, that is, July 1992 and the correspondence in this regard has been made to the Subordinate Officer.

4. The District Project Officer thereafter in his letter dated 08.02.2023, communicated that regarding payment of DCRG, the petitioner has to get the audit report for the period from 01.03.2019 to 30.06.2022 and the DCRG payment can be made only after getting the audit report. The date of superannuation of the petitioner being 30.06.2022, the Special Provident Fund to which she is entitled was kept in abeyance without payment endlessly. Hence, the petitioner made a representation to the respondents on 18.03.2023 seeking the Government to issue necessary instructions to the District Project Officer, Integrated Child Development Project Office, Virudhunagar to take necessary action for disbursement of DCRG. However, the DCRG was paid in the meanwhile except the Special Provident Fund. Hence, this writ petition came to be filed.



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5. Considering the nature of the limited prayer sought for before this Court, this Court is inclined to allow this writ of Mandamus, directing the first respondent, that is, the Additional Chief Secretary to Government, Social Welfare and Women Empowerment Department, Chennai to disburse the Special Provident Fund to the petitioner which is her own contribution and the contribution of the Government within a period of sixteen (16) weeks from the date of receipt of a copy of this order.

6. With the above said observation, this writ petition stands allowed.

There shall be no order as to costs.

06.07.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
BTR

To

1.The Additional Chief Secretary to Government,
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L.VICTORIA GOWRI, J.

BTR

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