



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 12.09.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.6232 of 2024

A.Celine Mary

... Petitioner

Vs.

1.State of Tamil Nadu,
Represented by Secretary to Department of School Education,
Nungambakkam, Chennai.

2.The Director,
Directorate of Elementary Education,
Chennai.

3.The District Collector,
Thoothukudi.

4.The Chief Education Officer,
Thoothukudi.

5.The District Education Officer(Elementary Education),
Thoothukudi at Pudukottai - 628 103.

6.The Block Education Officer-II,
Srivaikundam Union,
Srivaikundam, Thoothukudi.

7.The Block Education Officer,
Karungal, Kanyakumari.



8.The Principal Accountant General,
Office of the Accountant General (A& E),
361, Anna Salai, Teynampet, Chennai.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, direct the respondents to remit the Provident fund full amount paid by the petitioner along with interest till date of realisation within one month or time stipulated directed by this Court.

For Petitioner : Mr.R.Raghaev

For Respondents : Mr.N.Satheesh Kumar
Additional Government Pleader for R1 to R7
Mr.P.Gunasekaran
Standing Counsel for R8

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ORDER

The instant writ petition has been filed by a retired Elementary School Teacher, seeking a mandamus directing the respondents to remit the Provident Fund full amount paid by the petitioner along with interest till the date of realisation within the time framed fixed by this Court.

2.According to the learned Counsel appearing for the writ petitioner, she was originally appointed as Teacher in a Panchayat Union Middle School at Tholappanpannai in Tuticorin District and she worked there between 15.06.1990 to 01.08.2012. Subsequently, she was transferred to Government



School namely L.M. Primary School, Poottati, Karungal Block in Kanyakumari District. She had attained superannuation on 31.05.2015.

3.The grievance of the writ petitioner is that though she has paid the Teacher's Provident Fund as a Teacher in Panchayat Union Middle School between 15.06.1990 and 01.08.2012, the same has not been credited to her GPF account after she was transferred to a Government School. According to her, the TPF amount is missing to an extent of Rs.4,67,766/- which had accrued to her during the above said period.

4.The learned Standing Counsel appearing for the eighth respondent submits that the sixth respondent namely the Block Educational Officer-II, Srivaikundam Union, Srivaikundam, Thoothukudi, had to send a report to the second respondent namely the Director of Elementary Education, Chennai along with audit completion report indicating the availability of Rs.4,67,766/-. On receipt of the same, the second respondent will forward the same to the Chief Internal Auditor of the Education Department and the said authority would certify the availability of the above said amount and inform the eighth respondent herein. Depending upon the information, the amount would get credited to GPF account of the writ petitioner.



5. Since the said procedure has not been adopted by the seventh respondent as well as by the second respondent herein the amount lying to the credit of the TPF account of the writ petitioner has not been credited to the GPF account while she was in service.

6. In view of the above said facts, the sixth respondent herein is directed to forward the audit completion report to the second respondent herein within a period of four weeks from the date of receipt of a copy of this order. On receipt of the same, the second respondent is directed to forward the same to the Chief Internal Auditor, Education Department, Chennai within further period of four weeks. The Chief Internal Auditor, Education Department, Chennai shall forward the same to the Principal Accountant General namely, the eighth respondent herein for proceeding in accordance with the certificate issued thereunder.

7. With the above said observations, this writ petition stands disposed of.

No costs.

12.09.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
RJR



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To

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R.VIJAYAKUMAR, J.

RJR

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