

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 6-7-2015

CORAM:

THE HON'BLE MR.JUSTICE SATISH K. AGNIHOTRI
AND
THE HON'BLE MR.JUSTICE M.VENUGOPAL

W.A. No.626 of 2015 & M.P.No.1 of 2015
W.A. No.627 of 2015 & M.P.No.1 of 2015
W.A. No.628 of 2015 & M.P.No.1 of 2015

1. Government of Tamil Nadu,
rep.by Secretary to Government,
Forest and environment Department,
Fort St.George,
Chennai - 600 009.
2. The Principal Chief Conservator of Forests,
Panagal Building, Saidapet,
Chennai - 600 015.
3. The District Forest Officer,
Salem Forest Division,
Salem, Salem District.
4. The Accountant General of Tamil Nadu,
Office of the Accountant General at Teynampet,
Chennai - 600 018. ... Appellants in all writ appeals

Vs.

P.M. Velu ... Respondent in WA.No.626/2015
M.S.Arumugam ... Respondent in WA.No.627/2015
K. Rajendran ... Respondent in WA.No.628/2015

Writ Appeals preferred under Clause 15 of the Letters Patent as
against the order dated 11.11.2013 passed in W.P.No.26626/2013,
26629/2013 and 26977/2013 respectively.

Prayer in W.P.No.26626 of 2013 : Petition under Article 226 of the

Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents 1 to 3 to count half of the service rendered by the petitioner as Social Forestry Worker on daily Wage basis from 01.07.1979 till 26.02.2003 along with regular service rendered by him as Forest Watcher from 25.06.2003 and as Forest Guard from 01.10.2010 till the date of his retirement namely 31.07.2014 as qualifying service, send the revised proposal to the fourth respondent, to grant pension to the petitioner with all consequential monetary benefits.

Prayer in W.P.No.26629 of 2013 : Petition under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents to count half of the service rendered by the petitioner as Plot Watcher on daily Wage basis from 01.10.1979 till 20.02.2007 along with regular service rendered by him as Mali from 21.02.2007 till the date of his retirement namely 30.09.2010 as qualifying service, send the revised proposal to the fourth respondent, to grant pension to the petitioner with all consequential monetary benefits.

Prayer in W.P.No.26977 of 2013 : Petition under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents to count half of the service rendered by the petitioners wife as Social Forestry Worker, on daily wage basis from 1.1.1984 till 6.8.2009 along with regular service rendered by her as Forest Watcher (Supernumerary Post) from 7.8.2009 till the date of her death namely 3.9.2010 as qualifying service, send the revised proposal to the 4th respondent, to grant family pension to the petitioner with all consequential monetary benefits.

For appellants : Mr.M.K.Subramanian
Special Government Pleader (Forest)

COMMON JUDGMENT

(Judgment of the Court was made by SATISH K. AGNIHOTRI, J.)

These writ appeals are preferred against the common order passed by the learned single Judge on 11.11.2013 in W.P.Nos.26626 of 2013, 26629 of 2013 and 26977 of 2013 respectively.

2. Learned single Judge in his order dated 11.11.2013 referred to an order dated 19.4.2011 passed in W.P.No.8205 of 2011, which was confirmed by the Division Bench in W.A.Nos.27 & 28 of 2012 by

judgment dated 13.2.2012 and also by the Supreme Court in SLP(C) Nos.14838-14839, 16119-16120 of 2012 by order dated 10.5.2012. The said order was also complied with by the appellants department by issuing G.O.Ms.No.183 Environment and Forest Department dated 18.7.2012 and G.O.Ms.No.139, dated 5.9.2013.

3. The instant appeals have been filed without enclosing the relevant documents, including the above referred orders of the Division Bench, the Supreme Court and also the Government Orders.

4. On 4.6.2015, on the request of the learned counsel for the appellants we granted time till 19.6.2015. Thereafter, again on 19.6.2015, time was granted till 6.7.2015. In spite of that no document referred to above has been filed.

5. We are not in a position to adjudicate upon the dispute for want of sufficient materials, as aforesaid. Consequently, these writ appeals are dismissed. No costs. Connected miscellaneous petitions are also dismissed.

6. Registry is directed to mark a copy of this judgment to the Advocate General as well as to the Principal Secretary to Forest Department, Government of Tamil Nadu.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Advocate General,
High Court, Madras
- 2.The Principal Secretary, Forest Department,
Government of Tamil Nadu,
Fort St.George, Chennai.
- 3.The Principal Chief Conservator of Forests,
Panagal Building, Saidapet,
Chennai 600015.

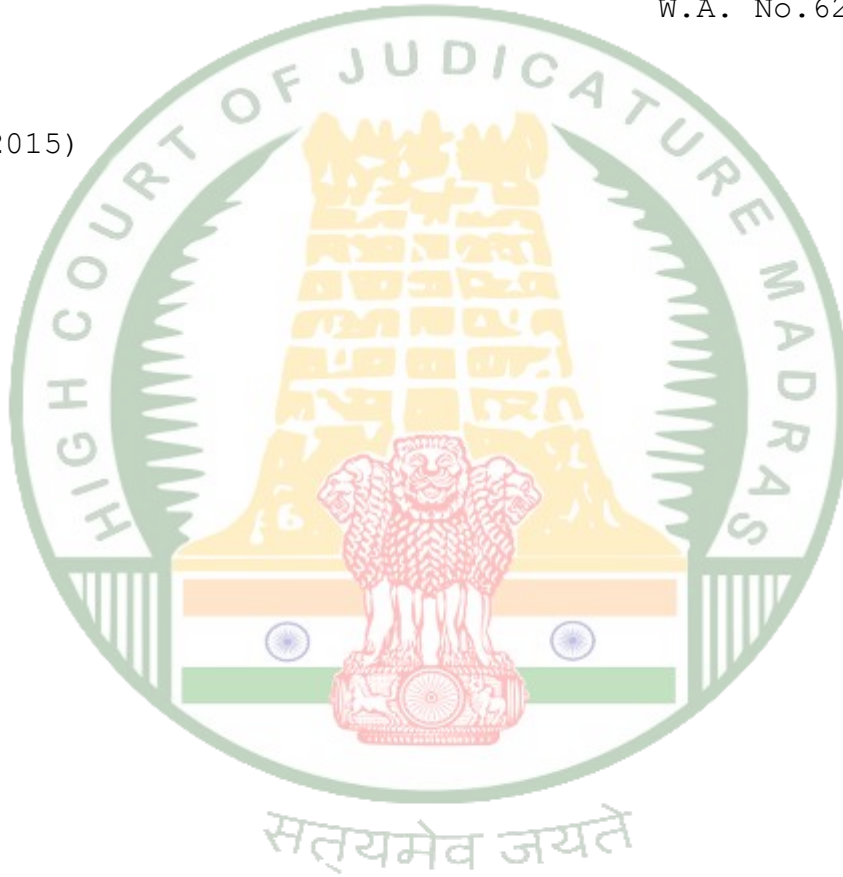
4.The District Forest Officer,
Salem Forest Division,
Salem.

5.The Accountant General of TamilNadu,
Office of the Accountant General,
Teynampet, Chennai 18.

+1cc to the Special Government Pleader(Forest), S.R.No.33624

W.A. No.626 to 628 of 2015

CNR(CO)
CA(16/07/2015)



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