



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.09.2015

CORAM :

THE HONOURABLE MR.JUSTICE R.SUDHAKAR

and

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

WEB COPY

Writ Appeal (MD) No.168 of 2015 and MP(MD)No.2 of 2015

- 1.The Government of Tamilnadu
rep.by Secretary to Government,
Forest and Environment Department
Fort St.George,
Chennai - 600 009.
- 2.The Prinicipal Chief Conservator of Forests,
Panagal Building, Saidapet, Chennai - 600 015.
- 3.The Divisional Forest Officer,
Ramanathapuram, Ramanathapuram District.
- 4.The District Forest Officer,
Ramanathapuram, Ramanathapuram District.
- 5.The Forest Range Officer,
Paramakudi Range,
Ramanathapuram District. .. Appellants/Respondents 1 to 5

Vs.

- 1.C.Panchavarnam .. Respondent/Petitioner
- 2.The Accountant General
O/o.the Accountant General of Tamilnadu
Teynampet, Chennai. .. Respondent/6th Respondent

Prayer : Writ Appeal filed under Section 15 of Letters Pattern Act against the order dated 05.09.2014 passed in WP(MD)No.522 of 2013 by this Court.

Prayer in WP(MD). 522/ 2013 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, directing the 3rd respondent to count half of the service rendered by the petitioner as social forest worker from 04.03.1983 to 06.08.2009 along with regular service render by the petitiioenr as plot watcher from 07.08.2009 to 31.03.2013 as qualifying service and sent the proposal to 6th respondent to grant pension with all consequential monetary benefits.

For Appellant

: Mr.M.Govindan

Spl.Government Pleader

: Mr.M.Subash Babu



JUDGMENT

(Judgment of the Court was delivered by R.SUDHAKAR,J.)

This writ appeal has been directed against the order dated 05.09.2014 passed in WP(MD)No.522 of 2013 by this Court.

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2. The case of the first respondent herein/petitioner is that he joined as a Social Forest Worker in the Forest Department on 04.03.1983. He was paid wages on daily basis. He sought for a direction to the respondents to count half of his service ie., from 04.03.1983 to 06.08.2009 along with his regular service as Plot Watcher from 07.08.2009 to 31.03.2013 as qualifying service for fixing pension and payment of consequential monetary benefits.

3. The learned Single Judge has observed in the order that a similar claim made by a Plot Watcher was considered by this Court and the respondents were directed to take into account the services rendered by the Social Forest Workers, while counting their regular services. The said order was challenged before the Hon'ble Supreme Court in S.L.P.Nos.16119 and 16120 of 2012, and the same was dismissed and thereafter, the Government issued G.O.Ms.No.139 Environment and Forests (FR-2) Department dated 05.09.2013 for sanction of pension to the petitioner therein taking into account 50% of the service rendered on daily wages along with regular service.

4. Since the first respondent herein/petitioner stands on the same footing, we find no reason to differ with the order passed by the learned Single Judge. Therefore, the writ appeal is dismissed accordingly. No costs. Connected Miscellaneous petition is closed.

Sd/-

Assistant Registrar

/True copy/

Sub Assistant Registrar

To

1. The 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 Divisional Forest Officer,
Ramanathapuram, Ramanathapuram District.
4. The District Forest Officer,
Ramanathapuram, Ramanathapuram District.
5. The Forest Range Officer,
Paramakudi Range, Ramanathapuram District.

+1cc to Mr.M.Subash Babu, Advocate SR.No. 53534

+1cc to The Special Government Pleader, Madurai. SR.No.53624

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