

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.10.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos.26399 and 26400 of 2016

(*)

P.Chidambaram

... Petitioner in WP.26399 of 2016

C.Chinnappan

... Petitioner in WP.26400 of 2016

Vs.

1. The State of Tamil Nadu,
Rep.by its Secretary to Government,
Environment and Forest Department,
Fort.St.George,
Chennai - 9.
2. The Principal Chief Conservator of Forest,
Panagal Building,
Saidapet, Chennai - 15. ... Respondents 1 & 2 in both
the WPs
3. Forestry Extension Officer,
Forestry Extension Division,
Thanjavur. ... 3rd Respondent in WP.26399 of 2016
4. The District Forest Officer,
Trichy Social Forestry Division,
Trichy. ... 3rd Respondent in WP.26400 of 2016
5. The Principal Accountant
General of Tamil Nadu,
Teynampet, Chennai - 18. ... 4th Respondent in both the WPs

Writ Petitions have been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus, directing the respondents 1 to 3 to count the half of service rendered by the petitioner as Plot Watcher from 08.03.1980 to 06.08.2009 on temporary basis along with the regular service from 07.08.2009 till the date of retirement on 30.06.2016 as qualifying service for the purpose of conferment of pension and to direct the respondents to send pension proposal to the fourth respondent for grant of pension with all consequential benefits within time frame by this Court.

For Petitioner : M/s.K.Jenitah
For Respondents : Mr.N.Inabanathan,
1 to 3 Government Advocate (Forest)
For 4th respondent : Mr.V.Murali

C O M M O N O R D E R

By consent, the main writ petition itself is taken up for final disposal.

2. The petitioners have come up with the present writ petition for a mandamus, directing the the respondents 1 to 3 to count the half of service rendered by the petitioner as Plot Watcher from 08.03.1980 to 06.08.2009 on temporary basis along with the regular service from 07.08.2009 till the date of retirement on 30.06.2016 as qualifying service for the purpose of conferment of pension and to direct the respondents to send pension proposal to the fourth respondent for grant of pension with all consequential benefits.

3. I have heard the learned counsel appearing for the petitioner and the learned Government Advocate (Forest), who has taken notice on behalf of the respondents 1 to 3 and the learned Counsel for the 4th respondent.

4. It is admitted on both sides that the issue raised in the present writ petition is covered by the decision of this Court made in W.P.No.8205 of 2011, dated 19.4.2011 and W.P.No.13832 of 2011, dated 29.6.2011. Both these orders were confirmed by the Division Bench in W.A.Nos.27 and 28 of 2012 by a common Judgment, dated 13.2.2012. The Special Leave Petitions filed by the State against these Judgments in S.L.P (Civil) Nos.14838 and 14839 of 2012 were also dismissed on 10.5.2012.

5. Therefore, the present writ petitions are allowed on the same lines as the above writ petitions were allowed. The orders shall be implemented within a period of twelve weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar(CS II)

Dated : 18.10.2016

***Corrected as per Order dated 1.12.16 in
W.P.26399 & 26400/2016 and 12701 of 2016
by RPSJ**

Sd/- Assistant Registrar(CCC)

DATED : 20.12.2016

//True Copy//

Sub Assistant Registrar

tsi

To

1. The Secretary to Government,
State of Tamil Nadu,
Environment and Forest Department,
Fort.St.George,
Chennai - 9.

To be Substituted to

2. The Principal Chief Conservator
of Forest,
Panagal Building,
Saidapet, Chennai - 15.

the Order already

3. The Forestry Extension Officer,
Forestry Extension Division,
Thanjavur.

despatched on 03.11.2016

4. The Principal Accountant General
of Tamil Nadu,
Teynampet, Chennai - 18.

5. The District Forest Officer,
Trichy Social Forestry Division,
Trichy.

+2cc's to Mr.K.Jenitha, Advocate, S.R.Nos.57268 & 57270
+1cc to the Special Government Pleader(Forest), S.R.No.71141

W.P.Nos.26399 and 26400 of 2016

AK(CO)
CA(19/10/2016)

CA(20.12.2016)

WEB COPY