

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.08.2016

CORAM

THE HONOURABLE Mr. JUSTICE T.S.SIVAGNANAM

W.P.Nos.26789 to 26792 of 2016

W.P.No.26789/2016

K.Mathiazhgan
S/o.Kulanthaivelu

.. Petitioner

..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.
- 3.The District Forest Officer
District Forest Office
Trichy
- 4.The Principal Accountant General of Tamil Nadu
Teynampet
Chennai - 18.

.. Respondents

Prayer

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the 1 to 3 respondent to count the half of service rendered by the petitioner as Plot Watcher from 01.03.1982 to 24.01.1995 on temporary basis along with the regular service from 25.01.1995 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 under old pension scheme with all consequential benefits within time frame.

W.P.No.26790/2016

A.Vincent Joseph
S/o.Arokiyam

.. Petitioner

..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.
- 3.The District Forest Officer
District Forest Office
Trichy
- 4.The Principal Accountant General of Tamil Nadu
Teynampet
Chennai - 18.

.. Respondents

Prayer

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the 1 to 3 respondent to count the half of service rendered by the petitioner as Plot Watcher from 20.12.1982 to 24.01.1995 on temporary basis along with the regular service from 25.01.1995 till the date of retirement on 30.04.2015 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 under old pension scheme with all consequential benefits within time frame.

W.P.No.26791/2016

P.Durairaj
S/o.Ponnambalam

.. Petitioner

..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.
 - 3.The District Forest Officer
District Forest Office
Trichy
 - 4.The Principal Accountant General of Tamil Nadu
Teynampet
Chennai - 18.
- ... Respondents

Prayer

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the 1 to 3 respondent to count the half of service rendered by the petitioner as Plot Watcher from 08.11.1981 to 24.01.1995 on temporary basis along with the regular service from 25.01.1995 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 under old pension scheme with all consequential benefits within time frame.

W.P.No.26792/2016

U.Vellaikannu
S/o.Ulagan Ambalam

सत्यमेव जयते .. Petitioner

..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.

3.The District Forest Officer
District Forest Office
Trichy

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

.. Respondents

Prayer

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the 1 to 3 respondent to count the half of service rendered by the petitioner as Plot Watcher from 01.04.1981 to 24.01.1995 on temporary basis along with the regular service from 25.01.1995 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 under old pension scheme with all consequential benefits within time frame.

For Petitioner
in all WPs : Ms.K.Jenitha

For Respondents
in all WPs : Mr.N.Inbanathan, G.A.,
for R1 to R3

Mr.Vijayashankar, for R4

COMMON ORDER

Heard Ms.K.Jenitha, learned counsel appearing for the petitioner. Notice to the respondents 1 to 3 is accepted by Mr.N.Inbanathan, learned Government Advocate and notice to the 4th respondent is accepted by Mr.Vijayashankar, learned standing counsel.

2.In these writ petitions, the petitioners seeks for a direction upon the respondents 1 to 3 to count the half of service rendered by them as Plot Watcher on temporary basis along with the regular service from 25.01.1995 till the date of their retirement, so as to enable them to receive pension as they would have completed the required 10 years of qualifying service.

3.The learned counsel for the petitioner elaborately referred to the various writ petitions which were filed in this

regard and the orders passed by this Court as well as the Tamil Nadu State Administrative Tribunal. However, for the purpose of disposal of these writ petitions, those facts need not be gone into as the petitioners seeks for a limited relief to consider the representation submitted by them for counting half of the temporary service. The petitioners have restricted their prayer though they have sought for a larger relief in the writ petition.

4.Thus, taking into consideration the facts and circumstances of the case and that the petitioners seek only for consideration of their representations, there will be a direction to the second respondent to consider the representation submitted by the petitioners on merits and in accordance with law and also take into consideration the enclosures along with the representation which are the certificates issued by the concerned District Forest Officer, certifying the temporary service of the petitioners. The above direction be complied with within a period of eight weeks from the date of receipt of a copy of this order.

5.These writ petitions are disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

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To

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

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

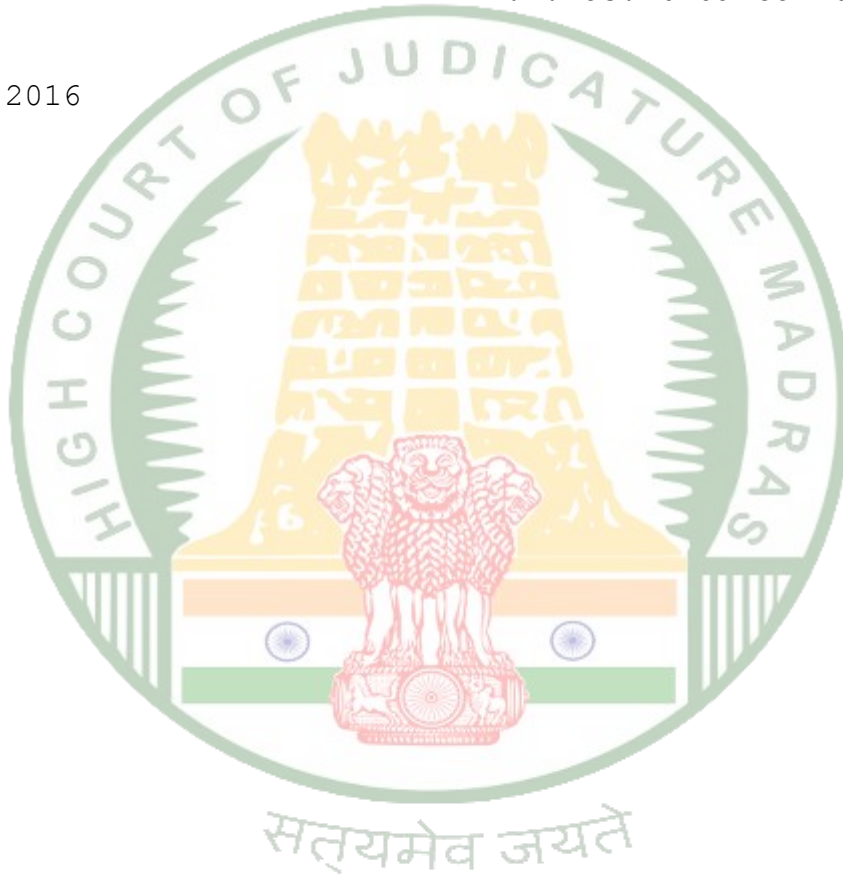
3.The District Forest Officer
District Forest Office
Trichy

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

4 CCS to M/s.K.Jenitha, Advocate, sr.43738, 34737, 43736, 43735
1 cc to Special Government Pleader (Forest), sr.43808

W.P.Nos.26789 to 26792 of 2016

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