

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.09.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.31281 of 2016

P.Natesan

... 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,
Trichy District,
Trichy.

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

... Respondents

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondents 1 to 3 to count half of service rendered by the petitioner as Plot Watcher from 1.9.1983 to 23.1.1995 on temporary basis along with regular service from 24.1.1995 till the date of retirement on 30.6.2016 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.

For Petitioner : Ms.K.Jenitha

For Respondents : Mr.N.Inabanathan,
Govt. Advocate (Forest)

ORDER

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

2. The petitioner has come up with the present writ petition for a mandamus, directing the respondents 1 to 3 to count half of service rendered by him as Plot Watcher from 1.9.1983 to 23.1.1995 on temporary basis along with regular service from 24.1.1995 till the date of retirement on 30.6.2016 as qualifying service for the purpose of conferment of pension and to direct the respondents 1 to 3 to send pension proposal to the fourth respondent for grant of pension with all consequential benefits within a time frame.

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.

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 petition is 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 VI)

//True Copy//

Sub Assistant Registrar

sbi

To

1.The Secretary to
Government,
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,
Trichy District,
Trichy.

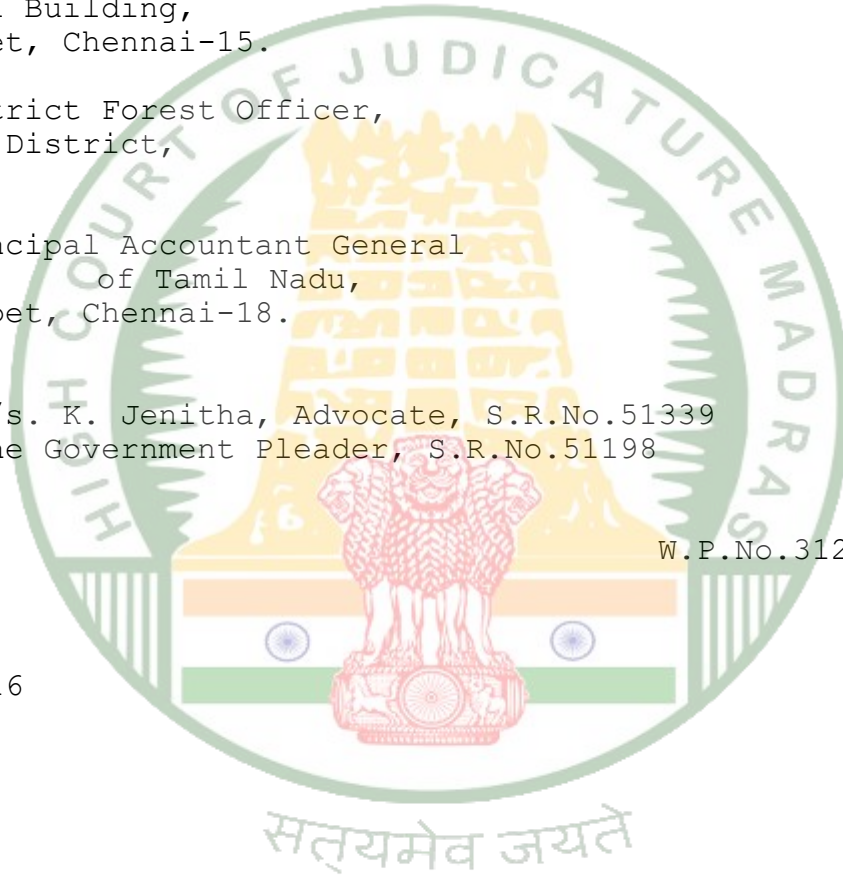
4.The Principal Accountant General
of Tamil Nadu,
Teynampet, Chennai-18.

+1cc to M/s. K. Jenitha, Advocate, S.R.No.51339

+1cc to the Government Pleader, S.R.No.51198

W.P.No.31281 of 2016

VSN(CO)
EU 22.09.16



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