

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.09.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.31648 of 2016

D.Pandi

... 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 Divisional Forest Officer,
Social Forestry Division,
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 the half of service rendered by the petitioner as Plot Watcher from 7.8.1990 to 17.12.2013 on temporary basis along with the regular service from 18.12.2013 till the date of retirement on 30.6.2014 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 as this Court deems fit.

For Petitioner : Ms.K.Jenitha

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

ORDER

The petitioner has come up with the present writ petition for a mandamus, directing the respondents 1 to 3 to count the half of service rendered by him as Plot Watcher from 7.8.1990 to 17.12.2013 on temporary basis along with the regular service from 18.12.2013 till the date of retirement on 30.6.2014 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 as this Court deems fit.

2. 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. In view of the limited order to be passed hereunder, it is not necessary for this Court to issue notice to the fourth respondent.

3. 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.

4. 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/-

सत्यमेव जयते
Assistant Registrar(CO)

//True Copy//

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Sub Assistant Registrar

sbi

To

1.The 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 Divisional Forest Officer,
Social Forestry Division,
Trichy.

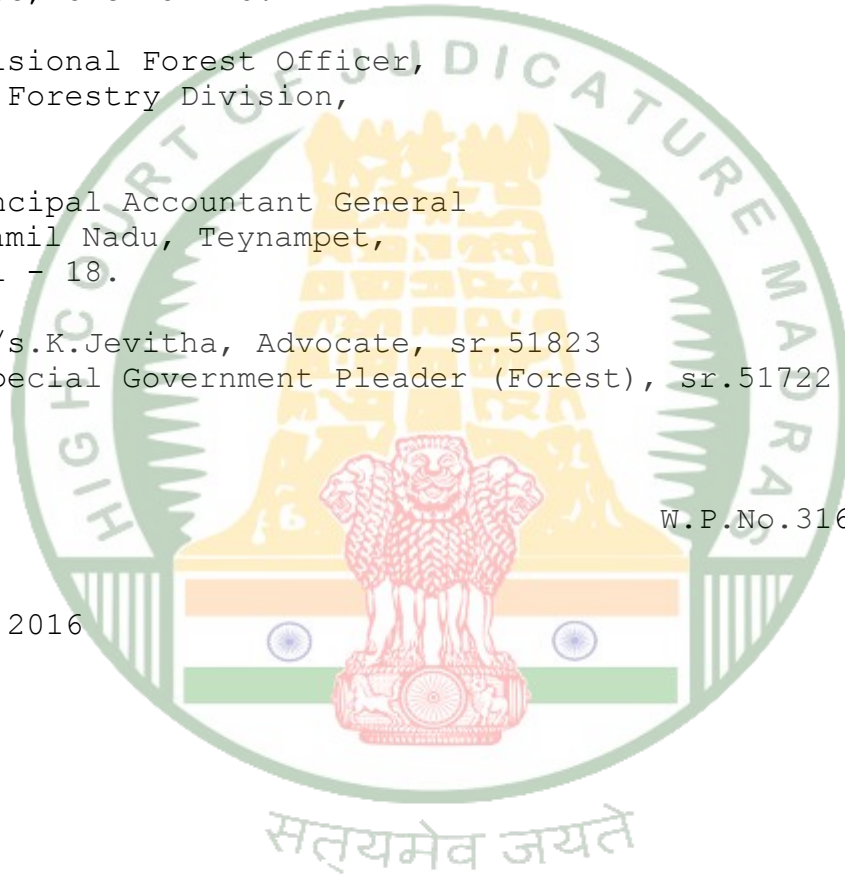
4.The Principal Accountant General
of Tamil Nadu, Teynampet,
Chennai - 18.

1 cc to M/s.K.Jevitha, Advocate, sr.51823

1 cc to Special Government Pleader (Forest), sr.51722

W.P.No.31648 of 2016

kra 17.10.2016



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