

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.09.2016

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

WP.No.197 of 2012

K.Arumugam  
Petitioner

Vs

- 1.State of Tamil Nadu Rep. by Secretary  
Environment and Forest, Fort St.George  
Chennai-9
- 2.The Forest Engineer, Arabic College Road  
Kaja Nagar, Trichy 620020
- 3.The Principal Accountant General (A&E)  
Anna Salai, Teynampet, Chennai-18
- 4.The Registrar, the Tamil Nadu Agricultural University  
Coimbatore 641003
- 5.The Secretary, Tamil Nadu Public Service Commission  
Chennai  
Respondents

Prayer:- This Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus to direct the 3rd Respondent to count the service rendered by the Petitioner in the 4th Respondent office for the period from 27.2.1976 to 31.12.1983 for the grant of pension and for other service benefits along with the service rendered by the Petitioner in the 2nd Respondent office and to direct the 3rd Respondent to revise and re-fix the pension and other service benefits of the Petitioner and to pay the difference of arrears of pension and other service benefits.

For Petitioner : Mr.R.Malaichamy  
For Respondent : Mr.K.Dhanjaya, AGP -R1  
Mr.T.S.Selvarani-R3  
Mr.Abdul Saleem-R4  
Mr.M.Devendran-R5

ORDER

Though the above miscellaneous petition to fix an early date to dispose of the main Writ Petition is listed

today, by consent of the learned counsel on either side, the main Writ Petition itself is taken up for final disposal.

2. In this Writ Petition, the Petitioner seeks for a direction to the 3rd Respondent to count the service rendered by the Petitioner in the 4th Respondent office for the period from 27.2.1976 to 31.12.1983 for the grant of pension and for other service benefits along with the service rendered by the Petitioner in the 2nd Respondent office and to direct the 3rd Respondent to revise and re-fix the pension and other service benefits of the Petitioner and to pay the difference of arrears of pension and other service benefits.

3. This court heard the learned counsel on either side and considered their submissions and also perused the materials placed on record.

4. The services rendered by the Petitioner for the period from 27.2.1976 to 31.12.1983 for the grant of pension as well as other service benefits were not considered. The repeated approach of the Petitioner is of no use. Hence, he has made a representation to the 2nd Respondent. On the basis of the said representation, the 2nd Respondent has also recommended the case of the Petitioner and placed all the material facts to the 3rd Respondent for consideration, but it was not considered so far. Hence, the Petitioner is before this court by way of this Writ Petition.

5. Upon service of notice, the 2nd Respondent has filed a counter affidavit, wherein it is stated that the plea of the Petitioner has been considered and the matter has now been placed before the 3rd Respondent. Hence, this court finds it appropriate to issue suitable directions to the 3rd Respondent.

6. Accordingly, the Petitioner is permitted to make a fresh representation along with a copy of this order to the 3rd Respondent within two weeks from the date of receipt of a copy of this order and on receipt of the same, the 3rd Respondent is directed to pass necessary orders in the light of the recommendation of the 2nd Respondent, on merits and in accordance with law, within a period of eight weeks thereafter.

7. With the above directions, this Writ Petition is disposed of. No costs. Consequently, the connected MP is closed.

Sd/-  
Asst.Registrar (CS V )

/true copy/

Sub Asst. Registrar

To:

- 1.The Secretary, State of Tamil Nadu, Environment and Forest,  
Fort St.George  
Chennai-9
  - 2.The Forest Engineer, Arabic College Road, Kaja Nagar, Trichy  
620020
  - 3.The Principal Accountant General (A&E)  
Anna Salai, Teynampet, Chennai-18
  - 4.The Registrar, the Tamil Nadu Agricultural University  
Coimbatore 641003
  - 5.The Secretary, Tamil Nadu Public Service Commission  
Chennai
- +1 cc to Govt.Pleader,sr.50305
- +1 cc to mr.R.malaichamy,advocate,sr.50213
- +1 cc to Mr.Abdul Saleem, Advocate,sr.50383
- +1 cc to Dr.R.Devendran,advocate,sr.50047
- nrjk(co)  
krd 21/9

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सत्यमेव जयते

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