

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.09.2016

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THE HONOURABLE MR. **JUSTICE R.SUBBIAH**

Writ Petition Nos.32505 to 32514 of 2016

W.P.No.32505 of 2016 :

R.Kanga Muthu

... 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 Conservator of Forest,
W.M.Principle,
Tamil Nadu Forest Training College,
Vaigai Dam, Theni District.

4.The Accountant General of Tamil Nadu,
Office of DMS Compound,
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 on daily wage basis from 01.10.1979 till 15.12.2004 along with regular

service rendered by him as Mali from 16.12.2004 till the date of retirement on 29.02.2016 as qualifying service, send the revised proposal to the 4th respondent, grant pension to the petitioner with all consequential monetary benefits.

For Petitioner : Mr.S.Mani

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

COMMON ORDER

The petitioners have come up with the above writ petitions seeking a Mandamus to direct the respondents to count half of the service rendered by them prior to their regularisation for the purpose of grant of pensionary benefits.

2. Heard Mr.S.Mani, learned Counsel for the petitioners as well as Mr.N.Inbanathan, learned Government Advocate (Forest) appearing for the respondents 1 to 3 in all the writ petitions.

3. It is admitted on both sides that the issue raised in these writ petitions is covered by the decision of this Court made in W.P.No.8205 of 2011, dated 19.04.2011 and W.P.No.13832 of 2011 dated 29.06.2011. Both these orders were confirmed by the Division

Bench in W.A.Nos.27 and 28 of 2012 by a Common Judgment dated 13.02.2012. The Special Leave Petitions filed by the State against these judgments in SLP (Civil) Nos.14838 and 14839 of 2012 were also dismissed on 10.05.2012.

4. Therefore, the 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.

19.09.2016

Index:Yes/No
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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 Conservator of Forest,
W.M.Principle, Tamil Nadu Forest Training College,
Vaigai Dam, Theni District.
- 4.The Accountant General of Tamil Nadu,
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Teynampet, Chennai-18.

R.SUBBIAH, J

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