

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.09.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.32606 of 2016

S.Jayaraman

... Petitioner

vs.

- 1.The State of Tamil Nadu,
rep. by its Secretary to Government,
(FR2) Forest and Environment Department
Fort St. George, Chennai-9.
 - 2.The Principal Chief Conservator of Forest,
Panagal Building,
Saidapet, Chennai-15.
 - 3.The Forest Range Officer,
Afforestation Range,
Cheyyar T.K. Thiruvannamalai District.
 - 4.The Deputy Conservator of Forest,
Forest Genetic Circle,
Coimbatore-641 043.
 - 5.The Principal Accountant General of Tamil Nadu,
Accounts and Entitlement,
O/o.The Accountant General,
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 to consider the petitioner's representation dated 20.05.2016 and a consequential direction directing the respondents 1 to 4 to count half of service rendered by the petitioner as Plot Watcher from 1.4.1980 to 06.12.2006 (on temporary basis) along with regular service rendered by the petitioner as Mali from 07.12.2006 to 31.10.2011 and send the revised proposal to the 5th respondent to grant pension with all consequential pensionary benefits to the petitioner from the date of retirement and arrears with interest.

For Petitioner : Mr.P.Rajesh
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 4 to consider the petitioner's representation dated 20.05.2016 and a consequential direction directing the respondents 1 to 4 to count half of service rendered by the petitioner as Plot Watcher from 1.4.1980 to 06.12.2006 on temporary basis along with regular service rendered by the petitioner as Mali from 07.12.2006 to 31.10.2011 and send the revised proposal to the 5th respondent to grant pension with all consequential pensionary benefits to the petitioner from the date of retirement and arrears with interest.

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 II)

//True Copy//

Sub Assistant Registrar

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To

1.The Secretary to Government,
State of Tamil Nadu,
FR2 Forest and Environment Department
Fort St. George, Chennai-9.

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

3.The Forest Range Officer,
Afforestation Range,
Cheyyar T.K. Thiruvannamalai District.

4.The Deputy Conservator of Forest,
Forest Genetic Circle,
Coimbatore-641 043.

5.The Principal Accountant General of Tamil Nadu,
Accounts and Entitlement,
O/o.the Accountant General,
Teynampet, Chennai-18.

1 cc to Mr.P.Rajesh, Advocate, sr.53142

1 cc to Special Government Pleader(Forest), sr.52854

W.P.No.32606 of 2016

skv co
kra 06.10.2016

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