

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 20.09.2016
CORAM
THE HONOURABLE MR. JUSTICE R.SUBBIAH
Writ Petition No.32810 of 2016

T.Yasothai

... 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,
Dindugal Forestry Division,
Collector Office Campus,
Dindugal.

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's husband as temporary service from 1.4.1983 to 14.5.2008 along with the regular service from 15.5.2008 till his death on 23.9.2013 as qualifying service for the purpose of conferment of pension and to direct the respondents to send pension proposal to the fourth respondent to confer the same.

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 the half of service rendered by her husband as temporary service from 1.4.1983 to 14.5.2008 along with the regular service from 15.5.2008 till his death on 23.9.2013 as qualifying service for the purpose of conferment of pension and to direct the respondents to send pension proposal to the fourth respondent to confer the same.

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.

-s/d-
सत्यमेव जयते

Assistant Registrar

True Copy

Sub-Assistant Registrar

sbi

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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 District Forest Officer,
Dindugal Forestry Division,
Collector Office Campus,
Dindugal.

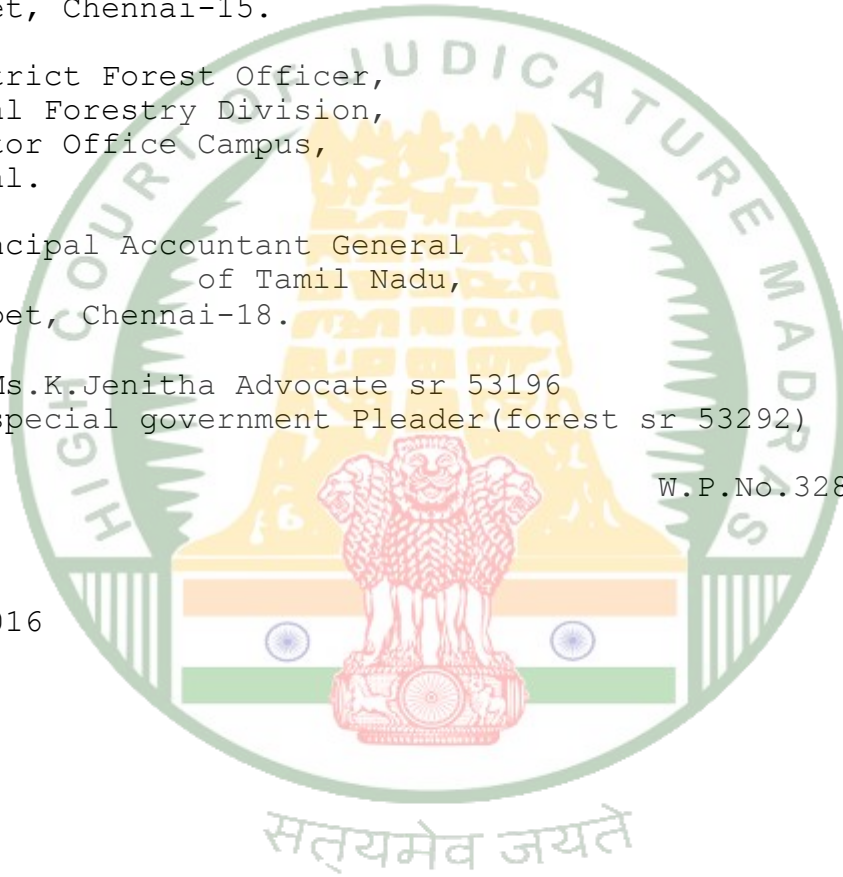
4.The Principal Accountant General
of Tamil Nadu,
Teynampet, Chennai-18.

+1 cc to Ms.K.Jenitha Advocate sr 53196

+1 cc to special government Pleader(forest sr 53292)

W.P.No.32810 of 2016

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