

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 20.09.2016
CORAM
THE HONOURABLE MR. JUSTICE R.SUBBIAH
Writ Petition No.32851 of 2016

N.Kuppusamy

... Petitioner

vs.

- 1.The Government of Tamil Nadu,
rep. by its Principal Secretary to
Government,
Forest and Environment Department,
Fort St. George, Chennai-9.
 - 2.The Principal Chief Conservator of
Forests,
Head of Forest Force,
No.1, Jeenis Road, Panagal Building,
Saidapet, Chennai-15.
 - 3.The Divisional Forest Officer,
Social Forestry Division,
Vellore, Vellore District.
 - 4.The District Forest Officer,
Coimbatore Forest Division,
Coimbatore, Coimbatore District.
 - 5.The Accountant General of Tamil Nadu,
Office of the Accountant General,
Anna Salai, 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 count half of the service rendered by the petitioner as Social Forestry Worker / Plot Watcher from 01.09.1980 to till 06.08.2009 along with regular service rendered by the petitioner as Plot Watcher in the supernumery post and Mali on and from 07.08.2009 to 31.10.2015 as qualifying service for pensionary benefits and send the proposal to the fifth respondent for grant of pension with all consequential monetary benefits.

For Petitioner : Mr.M.R.Jothimanian
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 to count half of the service rendered by him as Social Forestry Worker / Plot Watcher from

01.09.1980 to till 06.08.2009 along with regular service rendered by him as Plot Watcher in the supernumery post and Mali on and from 07.08.2009 to 31.10.2015 as qualifying service for pensionary benefits and send the proposal to the fifth respondent for grant of pension with all consequential monetary benefits.

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-

Assistant Registrar

True Copy

Sub-Assistant Registrar

To

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

2.The Principal Chief Conservator of
Forests,
Head of Forest Force,
No.1, Jeenis Road, Panagal Building,
Saidapet, Chennai-15.

3.The Divisional Forest Officer,
Social Forestry Division,
Vellore,
Vellore District.

4.The District Forest Officer,
Coimbatore Forest Division,
Coimbatore,
Coimbatore District.

5.The Accountant General of Tamil Nadu,
Office of the Accountant General,
Anna Salai, Teynampet,
Chennai-18.

+1 cc to Special Government Pleader sr 53293

W.P.No.32851 of 2016

aa20/10/2016

WEB COPY