

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.09.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos.34045 to 34053 and
34055 and 34056 and 34058 and 34059 of 2016

V.Krishnamoorthy	..Petitioner in W.P.No.34045/2016
A. Vediappan	..Petitioner in W.P.No.34046/2016
N.Balakrishnan	..Petitioner in W.P.No.34047/2016
P. Chinnasamy	..Petitioner in W.P.No.34048/2016
M.Viswaboopathy	..Petitioner in W.P.No.34049/2016
K. Ganesan	..Petitioner in W.P.No.34050/2016
P.P. Davaraj	..Petitioner in W.P.No.34051/2016
M. Natarajan	..Petitioner in W.P.No.34052/2016
G.Ganesan	..Petitioner in W.P.No.34053/2016
S.Panneerselvam	..Petitioner in W.P.No.34055/2016
M. Dhinakar	..Petitioner in W.P.No.34056/2016
S. Elumalai	..Petitioner in W.P.No.34058/2016
M.P. Pachaimuthu	..Petitioner in W.P.No.34059/2016

vs.

1. The Government of Tamil Nadu
Rep.by its Secretary
Environment and Forest Department
Secretariat, Chennai 600 009.
2. The Principal Chief Conservator of
Forest, Having office at Panagal
Maaligai, Saidapet, Chennai 600 015.
3. The District Forest Officer
Tiruvannamalai South Division,
Tiruvannamalai District
4. The Accountant General of Tamil Nadu
Office at DMS Compound
Teynampet, Chennai 600 018. ..Respondents in WP.34045/16

- 1 The Government of Tamilnadu
Rep by its Secretary Environment and Forest
Department Secretariat Chennai-600 009.

2 The Principal Chief
Conservator of Forest Having Office at
Panagal Maaligai Saidapet chennai-600 015.

3 The District Forest Officer
Thiruvannamalai South Division
Thiruvannamalai District

4 The Accountant General of
Tamil Nadu Office at DMS Compound
Teynampet chennai-600 018.

..Respondents in WP.No.34046/2016

1 The Government of Tamilnadu
Rep by its Secretary Environment and Forest
Department Secretariat Chennai-600 009.

2 The Principal Chief
Conservator of Forest Having Office at
Panagal Maaligai Saidapet chennai-600 015.

3 The District Forest Officer
Vellore District

4 The Accountant General of
Tamil Nadu Office at DMS Compound
Teynampet chennai-600 018. ..Respondents in WP.34047/2016

1 The Government of Tamilnadu
Rep by its Secretary Environment
and Forest Department Fort St. George
Chennai-600 009.

2 The Principal Chief
Conservator of Forest Having Office at
Panagal Building Saidapet chennai-600 015.

3 The District Forest Officer
Karur

4 The Accountant General of
Tamil Nadu Office at DMS Compound
Teynampet chennai-600 018. ..Respondents in WP.34048/2016

1 The Government of Tamilnadu
Rep by its Secretary Environment
and Forest Department Secretariat
Chennai-600 009.

- 2 The Principal Chief
Conservator of Forest Having Office at
Panagal Maaligai Saidapet chennai-600 015.
- 3 The District Forest Officer
Nilgiris South Division Nilgiris
- 4 The Accountant General of
Tamil Nadu Office at DMS Compound
Teynampet chennai-600 018. ..Respondents in WP.No.34049
- 1 The Government of Tamilnadu
Rep by its Secretary
Environment and Forest
Department Secretariat
Chennai-600 009.
- 2 The Principal Chief
Conservator of Forest Having Office at
Panagal Maaligai Saidapet
Chennai-600 015.
- 3 The District Forest Officer
Dindigul District
- 4 The Accountant General of
Tamil Nadu Office at
DMS Compound
Teynampet Chennai-600 018. ...Respondents in WP.34050/2016
- 1 The Government of Tamilnadu
Rep by its Secretary
Environment and Forest
Department Secretariat
Chennai-600 009. सत्यमेव जयते
- 2 The Principal Chief
Conservator of Forest Having Office at
Panagal Maaligai Saidapet Chennai-600 015.
- 3 The District Forest Officer
Cum Deputy Director Sathiyamangalam Tiger
Project Sathiyamangalam Erode District
- 4 The Accountant General of
Tamil Nadu Office at DMS Compound
Teynampet Chennai-600 018. ..Respondents in 34051/2016

- 1 The Government of Tamilnadu
Rep by its Secretary Environment
and Forest Department
Fort St. George Chennai-600 009.
- 2 The Principal Chief
Conservator of Forest Having Office at
Panagal Building Saidapet
Chennai-600 015.
- 3 The District Forest Officer
Thirupattur Division at Thirupattur
- 4 The Accountant General of
Tamil Nadu Office at DMS Compound
Teynampet Chennai-600 018. ..Respondents in WP.34052/2016
- 1 The Government of Tamilnadu
Rep by its Secretary Environment
and Forest Department Fort St. George
Chennai-600 009.
- 2 The Principal Chief
Conservator of Forest Having Office at
Panagal Building Saidapet Chennai-600 015.
- 3 The District Forest Officer
Villupuram
- 4 The Accountant General of
Tamil Nadu Office at DMS Compound
Teynampet Chennai-600 018. ..Respondents in WP.34053/2016
- 1 The Government of Tamilnadu
Rep by its Secretary Environment and Forest
Department Secretariat Chennai-600 009.
- 2 The Principal Chief
Conservator of Forest Having Office at
Panagal Maaligai Saidapet Chennai-600 015.
- 3 The Assistant Conservator of
Forest Forest Protection Squad Vellore-4.
- 4 The Accountant General of
Tamil Nadu Office at DMS Compound
Teynampet Chennai-600 018. ..Respondents in WP.34055/2016

- 1 The Government of Tamilnadu
Rep by its Secretary Environment
and Forest
Department Secretariat Chennai-600 009.
 - 2 The Principal Chief
Conservator of Forest Having Office at
Panagal Maaligai Saidapet Chennai-600 015.
 - 3 The District Forest officer
Sivagangai District
 - 4 The Accountant General of
Tamil Nadu Office at DMS Compound
Teynampet Chennai-600 018. ..Respondents in WP.34056/2016
-
- 1 The Government of Tamilnadu
Rep by its Secretary Environment
and Forest Department Secretariat
Chennai-600 009.
 - 2 The Principal Chief
Conservator of Forest Having Office at
Panagal Maaligai Saidapet chennai-600 015.
 - 3 The Divisional Forest Officer
Thiruvannamalai North Division at Polur
 - 4 The Accountant General of
Tamil Nadu Office at DMS Compound
Teynampet Chennai-600 018. ...Respondents in 34058/2016
-
- 1 The Government of Tamilnadu
Rep by its Secretary
Environment and Forest
Department Fort st. George
Chennai-600 009.
 - 2 The Principal Chief
Conservator of Forest Having Office at
Panagal Building Saidapet
Chennai-600 015.
 - 3 The Divisional Forest Officer
Nilgiris South Division Nilgiris
 - 4 The Accountant General of
Tamil Nadu Office at DMS Compound
Teynampet Chennai-600 018. ..Respondents in WP.34059/2016

These writ petitions filed under Article 226 of the constitution of India to issue a writ of Mandamus,

W.P.NO.34045 of 2016: Directing the respondents 1 to 3 to count half of the service rendered by the petitioner as Plot Watcher on daily wage basis from 1.8.1982 till 4.12.2005 along with the regular service rendered by him as Plot Watcher and Forest Guard from 5.12.2005 till the date of his retirement namely, 31.07.2016 as qualifying service, send the revised proposal to the fourth respondent, grant pension to the petitioner with all consequential monetary benefits.

W.P.NO.34046 of 2016: Directing the respondents 1 to 3 to count half of the service rendered by the Petitioner as Plot Watcher on daily wage basis from 20.12.1982 till 12.5.2008 along with the regular service rendered by him as Forest Watcher and Forest Guard from 13.5.2008 till the date of his retirement namely 31.7.2016 as qualifying service send the revised proposal to the fourth respondent grant pension to the Petitioner with all consequential monetary benefits;

W.P.NO.34047 of 2016: Directing the respondents 1 to 3 to count half of the service rendered by the Petitioner as Plot Watcher on daily wage basis from 1.12.1982 till 16.8.2005 along with the regular service rendered by him as Forest Watcher from 17.8.2005 till the date of his retirement namely 30.4.2016 as qualifying service send the revised proposal to the fourth respondent grant pension to the Petitioner with all consequential monetary benefits;

W.P.NO.34048 of 2016: Directing the respondents to count half of the service rendered by the Petitioner as Plot Watcher on daily wage basis from 01.11.1983 till 06.8.2009 along with the regular service rendered by him as Plot Watcher (Supernumerary Post) from 07.8.2009 till the date of his retirement namely 31.07.2016 as qualifying service send the revised proposal to the 4th respondent grant pension to the Petitioner with all consequential monetary benefits;

W.P.NO.34049 of 2016: Directing the respondents 1 to 3 to count half of the service rendered by the Petitioner as Plot Watcher on daily wage basis from 01.09.1984 till 06.8.2009 along with the regular service rendered by him as Plot Watcher (Supernumerary Post) and Forest Watcher from 07.8.2009 till the date of his retirement namely 30.04.2015 as qualifying service send the revised proposal to the fourth respondent grant pension to the Petitioner with all consequential monetary benefits;

W.P.NO.34050 of 2016: Directing the respondents 1 to 3 to count half of the service rendered by the Petitioner as Plot Watcher on daily wage basis from 01.01.1987 till 06.8.2009 along with the regular service rendered by him as Plot Watcher (Supernumerary Post) and Forest Watcher from 07.8.2009 till the date of his retirement namely 31.10.2015 as qualifying service send the revised proposal to the fourth respondent grant pension to the Petitioner with all consequential monetary benefits

W.P.NO.34051 of 2016: Directing the respondents 1 to 3 to count half of the service rendered by the Petitioner as Plot Watcher on daily wage basis from 01.11.1981 till 30.6.2004 along with the regular service rendered by him as Plot Watcher from 01.7.2004 till the date of his retirement namely 31.7.2016 as qualifying service send the revised proposal to the fourth respondent grant pension to the Petitioner with all consequential monetary benefits;

W.P.NO.34052 of 2016: Directing the respondents to count half of the service rendered by the Petitioner as Plot Watcher on daily wage basis from 15.01.1983 till 13.05.2008 along with the regular service rendered by him as Forest Watcher and Forest Guard from 14.05.2008 till the date of his retirement namely 31.7.2016 as qualifying service send the revised proposal to the 4th respondent grant pension to the Petitioner with all consequential monetary benefits;

W.P.NO.34053 of 2016: Directing the respondents to count half of the service rendered by the Petitioner as Plot Watcher on daily wage basis from 01.12.1992 till 06.08.2009 along with the regular service rendered by him Plot Watcher (Supernumerary Post) from 07.08.2009 till the date of his retirement namely 31.7.2016 as qualifying service send the revised proposal to the 4th respondent grant pension to the Petitioner with all consequential monetary benefits;

W.P.NO.34055 of 2016: Directing the respondents 1 to 3 to count half of the service rendered by the Petitioners as Plot Watcher on daily wage basis from 16.09.1982 till 8.9.2005 along with the regular service rendered by him as Forest Watcher and Forest Guard from 9.9.2005 till the date of his retirement namely 31.7.2016 as qualifying service send the revised proposal to the fourth respondent grant pension to the petitioner with all consequential monetary benefits

W.P.NO.34056 of 2016: Directing the respondents 1 to 3 to count half of the service rendered by the Petitioners as Plot Watcher on daily wage basis from 1.2.1982 till 21.1.2007 along with the regular service rendered by him as Forest Watcher from

22.1.2007 till the date of his retirement namely 30.6.2017 as qualifying service send the revised proposal to the fourth respondent grant pension to the petitioner with all consequential monetary benefits;

W.P.NO.34058 of 2016: Directing the respondents 1 to 3 to count half of the service rendered by the Petitioner as plot Watcher on daily wage basis from 1.12.1983 till 6.8.2009 along with the regular service rendered by him as Plot Watcher (Supernumerary Post) and Forest Watcher from 07.08.2009 till the date of his retirement namely 31.5.2017 as qualifying service send the revised proposal to the fourth respondent grant pension to the petitioner with all consequential monetary benefits;

W.P.NO.34059 of 2016: Directing the respondents to count half of the service rendered by the Petitioner as plot Watcher on daily wage basis from 14.12.1984 till 6.8.2009 along with the regular service rendered by him as Plot Watcher (Supernumerary Post) from 07.08.2009 till 15.04.2012 and Forest Watcher from 16.04.2012 till the date of his retirement namely 31.7.2016 as qualifying service send the revised proposal to the 4th respondent grant pension to the petitioner with all consequential monetary benefits;

For Petitioners : Mr.S.Mani
in all W.Ps.
For Respondents : Mr.N.Inbanathan
Government Advocate (Forests)
in all W.Ps.

COMMON ORDER

By consent, the main writ petitions themselves are taken up for final disposal.

2. The petitioners have come up with the present writ petitions for a mandamus, directing the respondents 1 to 3 to count half of the service rendered by them as Plot Watchers on daily wage basis along with the regular service rendered by them as Plot Watchers/ Forest Watcher / Forest Guard till the date of their retirement as qualifying service and send the revised proposal to the fourth respondent for grant of pension to them with all consequential monetary benefits.

3. I have heard the learned counsel appearing for the petitioners 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 petitions 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, all 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.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

sbi

To

1. The Secretary
to Government of Tamil Nadu
Environment and Forest Department
Secretariat
Chennai 600 009.
2. The Principal Chief Conservator of
Forest, Having office at Panagal
Maaligai, Saidapet, Chennai 600 015.
3. The District Forest Officer
Tiruvannamalai South Division,
Tiruvannamalai District
4. The Accountant General of Tamil Nadu
Office at DMS Compound
Teynampet, Chennai 600 018.
- 5 The District Forest Officer,
Vellore District.

- 6 The District Forest Officer, Karur.
- 7 The District Forest Officer,
Nilgiris South Division, Nilgiris.
- 8 The District Forest Officer,
Dindigul District.
- 9 The District Forest Officer, Cum Deputy Director,
Sathiyamangalam Tiger Project, Sathiyamangalam,
Erode District.
- 10 The District Forest Officer,
Thirupattur Division at Thirupattur.
- 11 The District Forest Officer, Villupuram.
- 12 The Assistant Conservator of Forest
Forest Protections Squad, Vellore-4.
- 13 The District Forest Officer,
Sivagangai District
- 14 The District Forest Officer,
Thiruvannamalai North Division,
at Polur.
- 15 The District Forest Officer,
Nilgiris South Division, Nilgiris.

+ 13ccs to Mr.S. Mani, Advocate SR.55357
+ 1 cc to Special Government Pleader, SR.55241

W.P.Nos.34045 to
34053 and
34055 and 34056 and
34058 and 34059 of 2016

SR(CO)
EU 15/11/16

WEB COPY