

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.10.2016

CORAM

THE HONOURABLE Mr. JUSTICE R.SUBBIAH

Writ Petition No.34885 of 2016

A.Sundaramoorthy

... Petitioner

Vs

- 1.The Government of Tamil Nadu,
Rep. by its Secretary,
Environment and Forest Department
Secretariat, Chennai-9.
- 2.The Principal Chief Conservator of Forest,
Having office at Panagal Building,
Saidapet, Chennai-15.
- 3.The Divisional Forest Officer,
Modern Nursery, Dharmapuri.
- 4.The Accountant General of Tamil Nadu,
Office at DMS Compound,
Teynampet, Chennai-18.

... Respondents

Writ petition 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 Plot Watcher on daily wage basis from 1.4.1990 till 6.8.2009 along with the regular service rendered by him as Plot Watcher [Supernumerary Post] and Forest Watcher from 7.8.2009 to till the date of his retirement namely 30.06.2016 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)

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 the petitioner as Plot Watcher on daily wage basis from 1.4.1990 till 6.8.2009 along with the regular service rendered by him as Plot Watcher [Supernumerary Post] and Forest Watcher from 7.8.2009 to till the date of his retirement namely 30.06.2016 as qualifying service, send the revised proposal to the 4th respondent, grant pension to the petitioner 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.

-Sd/-

Assistant Registrar

// True Copy //

WEB COPY

Sub Assistant Registrar

To

1.The Secretary,
Government of Tamil Nadu,
Environment and Forest Department
Secretariat, Chennai-9.

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

3.The Divisional Forest Officer,
Modern Nursery, Dharmapuri.

4.The Accountant General of Tamil Nadu,
Office at DMS Compound,
Teynampet, Chennai-18.

+1 cc to S.Mani, Advocate Sr.No. 56649

+ 1 cc to Special Government Pleader, Sr.No.56530

W.P.No.34885 of 2016

CTR(CO)

VS 16/11/2016



WEB COPY