

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.10.2016

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THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos.36974 and 36975 of 2016

W.P.No.36974/2016 :

G.Moorthy

.... Petitioner

Vs

1.Government of Tamilnadu

rep. by its Secretary to Government
Environment and Forest Department
Fort St.George, Chennai 600 009.

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

3.The District Forest Officer,
City Beautification Range-3,
Velacherry, Orphan Division,
Office at DMS Compound,
Teynampet, Chennai-6.

4.The Princiapl Accountant General of Tamilnadu
Teynampet, Chennai 18.

...Respondents

Prayer:-Petition filed under Article 226 of the Constitution of India praying to issue a writ of Mandamus, to direct the 3rd respondent to count half of the service rendered by the petitioner as Social Forestry Worker from 01.09.1984 till 23.01.1995 on temporary basis along with the regular service from 24.01.1995 till the date of retirement on 30.06.2015 as qualifying service for the purpose of pension and send pension proposal to the 4th respondent for grant of pension with all consequential monetary benefits within a time frame fixed by this Court.

For petitioner .. Ms.K.Jenitha
For Respondents .. Mr.N.Inbanathan,
Government Advocate (Forests)

W.P.No.36975/2016 :

T.Rajappan

... Petitioner

Vs

1.Government of Tamilnadu
rep. by its Principal Secretary to Government
Environment and Forest Department
Fort St.George, Chennai 600 009.

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

3.The Wild Life Warden,
Wild Life Division,
Chennai-32.

4.The Princiapl Accountant General of Tamilnadu
Teynampet, Chennai 18.

...Respondents

Prayer:-Petition filed under Article 226 of the Constitution of India praying to issue a writ of Mandamus, to direct the respondents 1 to 3 to count half of the service rendered by the petitioner as Plot Watcher from 01.01.1985 till 23.01.1995 on temporary basis along with regular service from 24.01.1995 till the date of retirement on 31.10.2016 as qualifying service for the purpose of conferment of pension and to direct the respondents to send pension proposal to the 4th respondent for grant of pension with all consequential monetary benefits within a time frame fixed by this Court.

For petitioner .. Ms.K.Jenitha
For Respondents .. Mr.N.Inbanathan,
Government Advocate (Forests)

COMMON ORDER

The petitioners have come up with the above writ petitions seeking a Mandamus to direct the respondents to count half of the service rendered by them prior to their regularisation for the purpose of grant of pensionary benefits.

2. Heard Ms.K.Jenitha, learned Counsel for the petitioners as well as Mr.N.Inbanathan, learned Government Advocate (Forest) appearing for the respondents 1 to 3 in all the writ petitions.

3. It is admitted on both sides that the issue raised in these writ petitions is covered by the decision of this Court made in W.P.No.8205 of 2011, dated 19.04.2011 and W.P.No.13832 of 2011 dated 29.06.2011. Both these orders were confirmed by the Division Bench in W.A.Nos.27 and 28 of 2012 by a Common Judgment dated 13.02.2012. The Special Leave Petitions filed by the State against these judgments in SLP (Civil) Nos.14838 and 14839 of 2012 were also dismissed on 10.05.2012.

4. Therefore, 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

//True Copy//

Sub Assistant Registrar

tsi

To

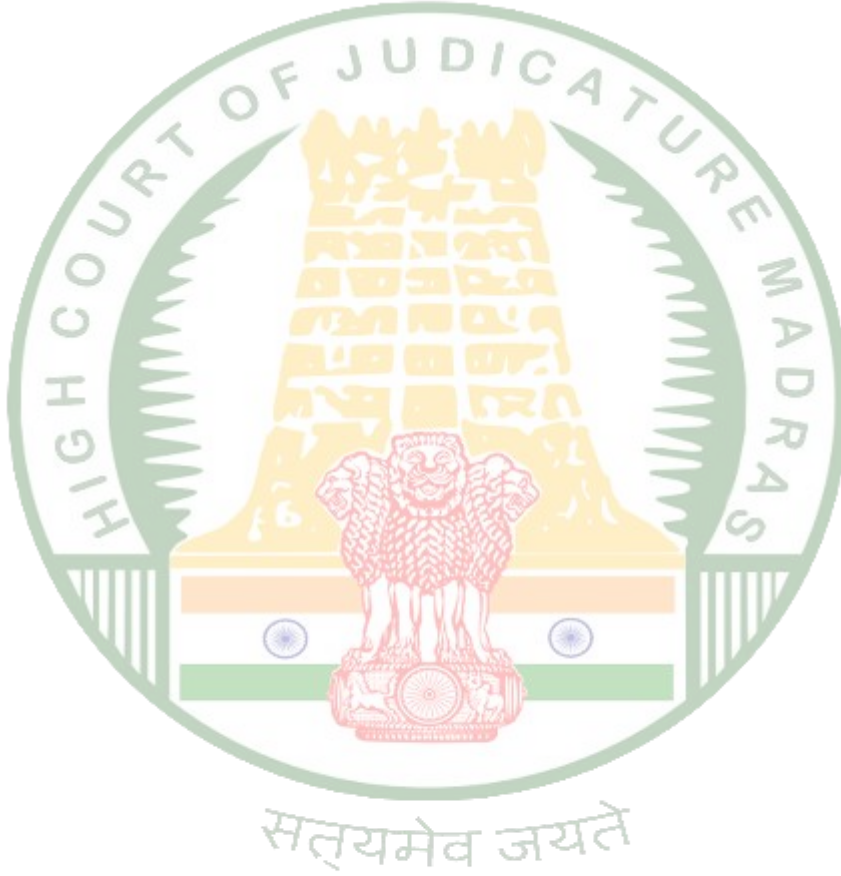
- 1.The Secretary to Government,
State of Tamil Nadu,
Environment and Forest Department
Fort St. George, Chennai-9.
- 2.The Principal Chief Conservator of Forest,
Panagal Building, Saidapet, Chennai-15.
- 3.The District Forest Officer,
City Beautification Range-3,
Velacherry, Orphan Division,
Office at DMS Compound,
Teynampet, Chennai-6.
- 4.The Wild Life Warden,
Wild Life Division,
Chennai-32.

5.The Principal Accountant General of Tamil Nadu,
Office of DMS Compound,
Teynampet, Chennai-18.

+1cc to Mr.K. Jenitha, Advocate, S.R.No.59927
+1cc to the Government Pleader, S.R.No.60559

ctr(CO)
md(22/11/2016)

W.P.Nos.36974 &36975/2016



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