

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.11.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.37976 of 2016

C.Subramanian

... 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 Maligai Saidapet Chennai-15.
- 3 The District Forest Officer
Kallakurichi Villupuram District
- 4 The Accountant General of
Tamil Nadu Office at DMS Compound
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 half of the service rendered by the petitioner as Plot Watcher on the daily wage basis from 1.10.1982 till 1.1.2007 along with the regular service rendered by him as Forest Watcher and Forest Guard from 2.1.2007 till the date of the petitioner retirement namely 31.3.2016 as qualifying service, send the revised proposal to the fourth respondent, grant pension to the petitioner with all consequential monetary benefits.

For Petitioner : Mr.S.Mani

For Respondents : Mr.M.Santhanaraman,
Addl. Govt. Pleader (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 half of the service rendered by him as Plot Watcher on the daily wage basis from 1.10.1982 till 1.1.2007 along with the regular service rendered by him as Forest Watcher and Forest Guard from 2.1.2007 till the date of his retirement namely 31.3.2016 as qualifying service, send the revised proposal to the fourth respondent, grant pension with all consequential monetary benefits.

3. I have heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader (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/-

Asst.Registrar

/true copy/

Sub Asst. Registrar

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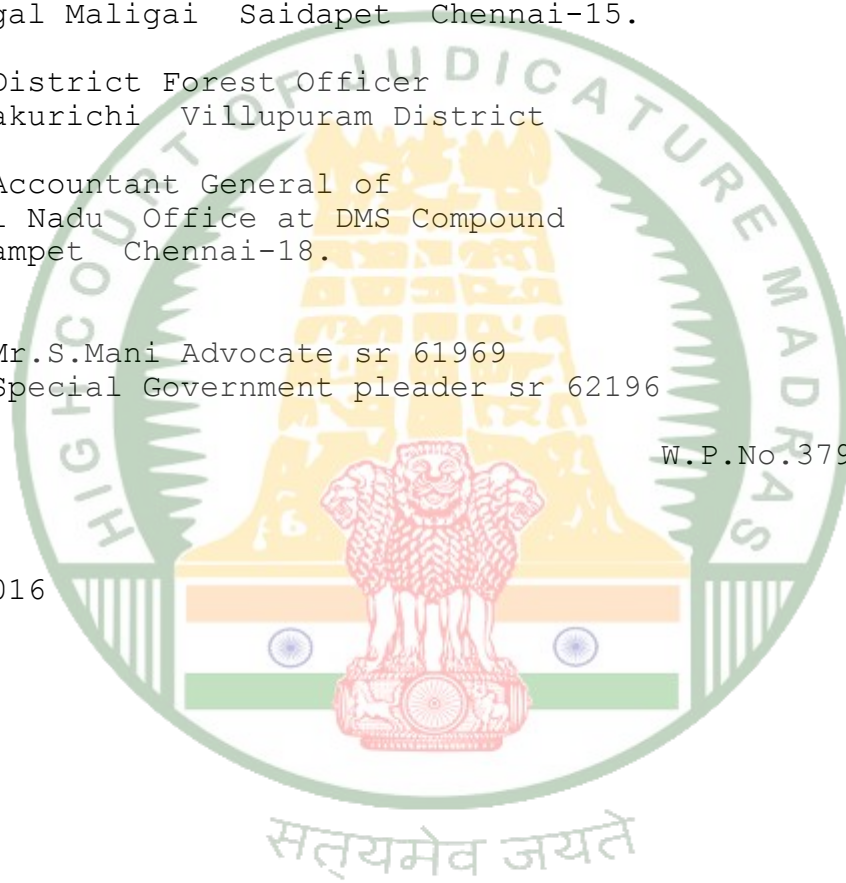
To

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 Having office at
Panagal Maligai Saidapet Chennai-15.
- 3 The District Forest Officer
Kallakurichi Villupuram District
- 4 The Accountant General of
Tamil Nadu Office at DMS Compound
Teynampet Chennai-18.

+1 cc to Mr.S.Mani Advocate sr 61969
+1 cc to Special Government pleader sr 62196

W.P.No.37976 of 2016

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