

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.11.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos.38064 to 38067 of 2016

M.Anjaiyan ... Petitioner in
W.P.No.38064/2016

K.Pandian ... Petitioner in
W.P.No.38065/2016

A.Masilamani ... Petitioner in
W.P.No.38066/2016

K.Rajeswaran ... Petitioner in
W.P.No.38067/2016

vs.

- 1 The State of Tamil Nadu
Rep. by its Secretary to Government
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
Thanjavur District Thanjavur
 - 4 The Principal Accountant
General of Tamil Nadu Teynampet Chennai-18.
- ... Respondents in all the writ petitions.

Writ petition No.38064 of 2016 has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus Directing the 1 to 3 respondents to count the half of service rendered by the petitioner as Plot Watcher from 1.3.1980 to 6.8.2009 on temporary basis along with the regular service from 7.8.2009 till the date of retirement on 30.9.2016 as

qualifying service for the purpose of conferment of pension and to direct the respondents to send pension proposal to the fourth respondent for conferred the same with consequential benefits within the time frame.

Writ petition No.38065 of 2016 has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus Directing the 1 to 3 respondents to count the half of service rendered by the petitioner as Social Forestry Worker from 9.11.1984 to 1.2.1995 on temporary basis along with the regular service from 2.2.1995 till the date of retirement on 31.8.2015 as qualifying service for the purpose of conferment of pension and to direct the respondents to send pension proposal to the fourth respondent for grant of pension under old pension scheme with consequential benefits within the time frame.

Writ petition No.38066 of 2016 has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus Directing the 1 to 3 respondents to count the half of service rendered by the petitioner as Social Forestry Worker from 10.12.1982 to 6.8.2009 on temporary basis along with the regular service from 7.8.2009 till the date of retirement on 31.7.2014 as qualifying service for the purpose of conferment of pension and to direct the respondents to send pension proposal to the fourth respondent for conferred the same with consequential benefits within the time frame.

Writ petition No.38067 of 2016 has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus Directing the 1 to 3 respondents to count the half of service rendered by the petitioner as Social Forestry Worker from 20.10.1984 to 6.8.2009 on temporary basis along with the regular service from 7.8.2009 till the date of retirement on 30.4.2016 as qualifying service for the purpose of conferment of pension and to direct the respondents to send pension proposal to the fourth respondent for conferred the same with consequential benefits within the time frame.

For Petitioner : Ms.K.Jenitha,
in all the writ petitions.

For Respondents : Mr.M.Santhanaraman,
Addl. Govt. Pleader (Forest)
in all the writ petitions.

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 Watcher / Social Forestry Worker on daily wage basis along with the regular service rendered by them 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 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 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(CO)

//True Copy//

Sub Assistant Registrar

To

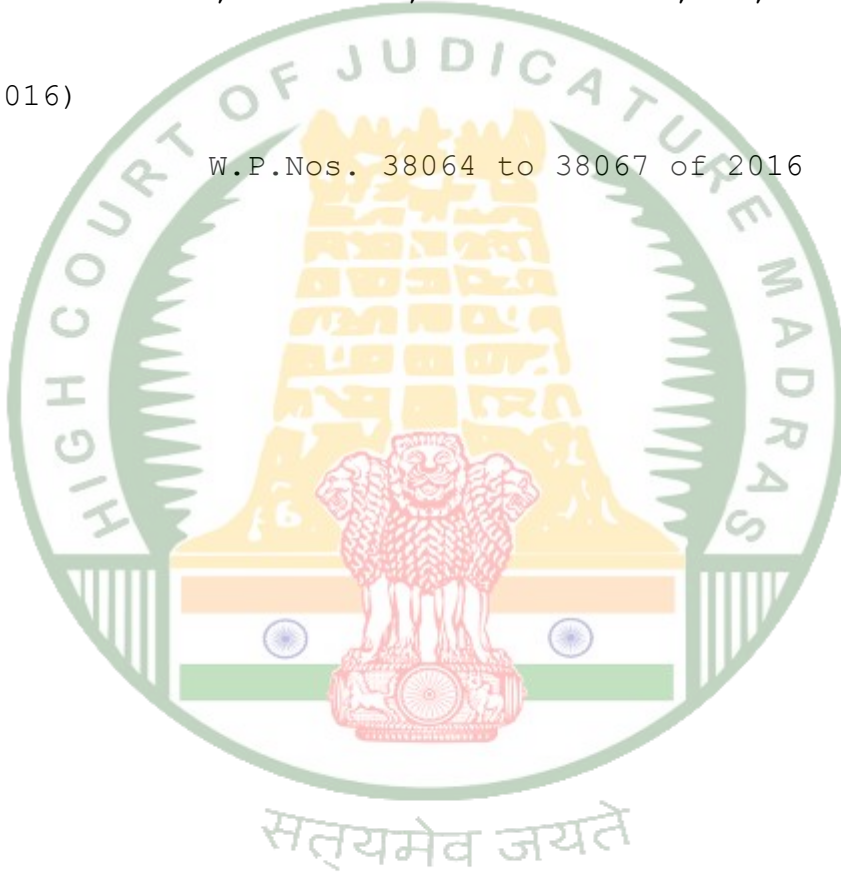
- 1 The Secretary to Government of Tamil Nadu
Environment and Forest Department Fort St.
George Chennai-9.

- 2 The Principal Chief
Conservator of Forest Panagal Building
Saidapet Chennai-15.
- 3 The District Forest Officer
Thanjavur District Thanjavur
- 4 The Principal Accountant
General of Tamil Nadu Teynampet Chennai-18.

+4cc to Mr.K. Jenitha, Advocate, S.R.No.62808,809,810 & 811

gj(CO)
md(23/11/2016)

W.P.Nos. 38064 to 38067 of 2016



WEB COPY