

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.11.2016

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THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.38119 of 2016

S.Gunasekaran

... Petitioner

Vs.

- 1 The Government of Tamil Nadu
Rep. by its Secretary,
Environment and Forest Department,
Fort St.George,
Chennai – 600 009.
- 2 The Principal Chief Conservation of Forest
Having Office at Panagal Building,
Saidapet, Chennai – 600 015.
- 3 The District Forest Officer,
Erode.
- 4 The Accountant General of Tamil Nadu,
Office at DMS Compound,
Teynampet,
Chennai – 600 018.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue 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 10.08.1990 till 06.08.2009 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 31.07.2016 as qualifying service, send the revised proposal to the fourth respondent, grant pension to the petitioner with all consequential monetary benefits.

For Petitioners : Mr.S.Mani
For Respondents : Mr.N.Inbanathan
Government Advocate (Forests)

O R D E R

The petitioner has come up with the above writ petition, seeking a Mandamus to direct the respondents to count half of the service rendered by him prior to the regularisation for the purpose of grant of pensionary benefits.

2.Heard Mr.S.Mani, learned counsel for the petitioner as well as Mr.N.Inbanathan, learned Government Advocate (Forests) appearing for the respondents.

3. It is admitted on both sides that the issue raised in the writ petition 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 S.L.P (Civil) Nos.14838 and 14839 of 2012 were also dismissed on 10.05.2012.

4. Therefore, the writ petition is allowed on the same lines as the above writ petitions were allowed. The order shall be implemented within a period of twelve weeks from the date of receipt of a copy of this order. No costs.

03.11.2016

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Index: Yes/ No

Internet: Yes/No

To

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R.SUBBIAH,J.

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