

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.11.2016

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THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos.38442 to 38444 of 2016

W.P.No.38442 of 2016:

V.Dhanachelian

... Petitioner

Vs.

1. The Government of Tamilnadu
rep. by its Secretary,
Environment and Forest Department,
Secretariat, Chennai-9.
2. The Principal Chief Conservator of Forest
Having Office at Panagal Maaligai,
Saidapet, Chennai-15.
3. The District Forest Officer,
Vellore.
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 service rendered by the petitioner as Plot Watcher on daily wage basis from 04.04.1982 till 02.01.2005 along with regular service rendered by him as Forest Watcher and Forest Guard from 03.01.2005 till the date of his retirement on 30.09.2016 as qualifying service, send the revised proposal to the 4th respondent, grant pension to the petitioner with all consequential monetary benefits.

W.P.No.38443 of 2016:

V.Chinnappan

... Petitioner

Vs.

1. The Government of Tamilnadu
rep. by its Secretary,
Environment and Forest Department,
Secretariat, Chennai-9.
2. The Principal Chief Conservator of Forest
Having Office at Panagal Maaligai,
Saidapet, Chennai-15.
3. The District Forest Officer,
Vellore.
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 service rendered by the petitioner as Plot Watcher on daily wage basis from 01.08.1981 till 14.10.2003 along with regular service rendered by him as Forest Watcher and Forest Guard from 15.10.2003 till the date of his retirement on 30.09.2016 as qualifying service, send the revised proposal to the 4th respondent, grant pension to the petitioner with all consequential monetary benefits.

W.P.No.38444 of 2016:

P.Kannan

... Petitioner

Vs.

1. The Government of Tamilnadu
rep. by its Secretary,
Environment and Forest Department,
Secretariat, Chennai-9.
2. The Principal Chief Conservator of Forest
Having Office at Panagal Maaligai,
Saidapet, Chennai-15.
3. The District Forest Officer,
Thiruvannamalai.
North Division at Polur.
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 service rendered by the petitioner as Plot Watcher on daily wage basis from 15.08.1981 till 02.11.2003 along with regular service rendered by him as Forest Watcher and Forest Guard from 03.11.2003 till the date of his retirement on 30.09.2016 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
in all W.Ps.

For Respondents : Mr.N.Inabanathan,
in all W.Ps. Government Advocate (Forest)

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 Mr.S.Mani, 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(CCC)

//True Copy//

Sub Assistant Registrar

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To

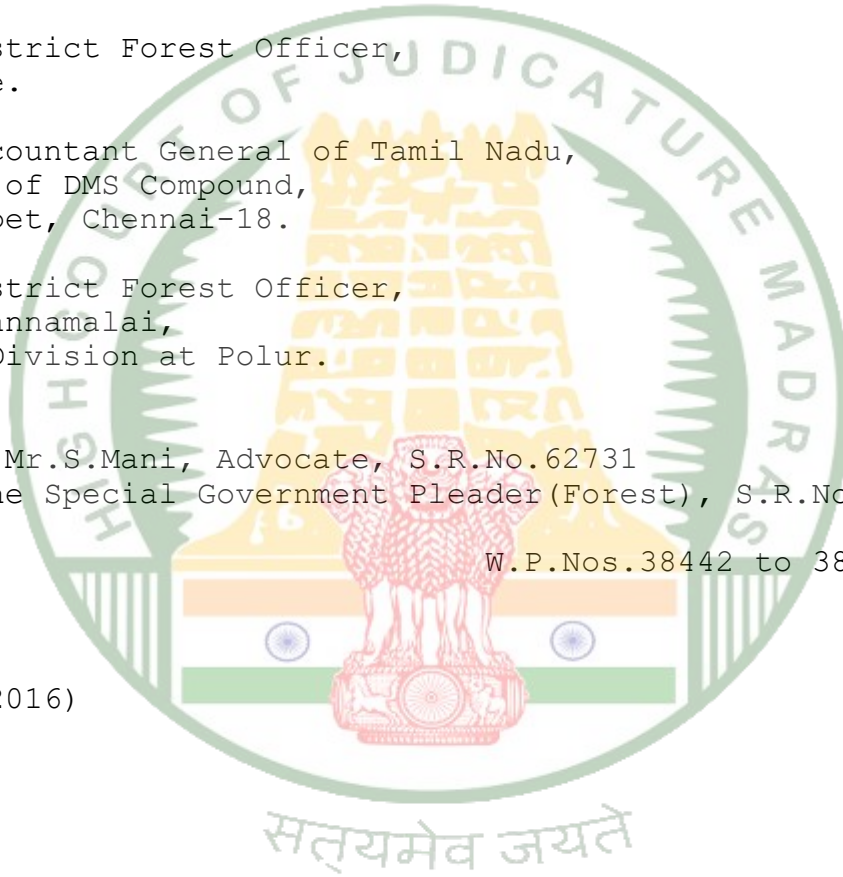
1. The Secretary to Government,
State of Tamil Nadu,
Environment and Forest Department
Fort St. George, Chennai-9.
2. The Principal Chief Conservator of Forest,
Panagal Building, Saidapet, Chennai-15.
3. The District Forest Officer,
Vellore.
4. The Accountant General of Tamil Nadu,
Office of DMS Compound,
Teynampet, Chennai-18.
5. The District Forest Officer,
Thiruvannamalai,
North Division at Polur.

+3cc's to Mr.S.Mani, Advocate, S.R.No.62731

+1cc to the Special Government Pleader(Forest), S.R.No.63110

W.P.Nos.38442 to 38444 of 2016

RJ(CO)
CA(02/12/2016)



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