

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.11.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos.39562 to 39564 of 2016

S.Thiyagarajan ... Petitioner in
W.P.No.39562 of 2016

M.Chinnaiyan ... Petitioner in
W.P.No.39563 of 2016

M.Boominathan ... Petitioner in
W.P.No.39564 of 2016

Vs

- 1.The State of Tamilnadu
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. ... Respondents 1 and
2 in all the W.Ps.
- 3.The District Forest Officer
Thiruvarur Division Thiruvarur. ... 3rd respondent in
W.P.No.39562 of 2016
- 4.The District Forest Officer,
Trichy District,
Trichy ... 3rd respondent in
W.P.No.39563 of 2016
- 5.The District Forest Officer,
Thiruvarur Division,
Thiruvarur. ... 3rd respondent in
W.P.No.39564 of 2016
- 6.The Principal Accountant
General of Tamil Nadu Teynampet Chennai 18.
... 4th respondent
in all the W.Ps.

Prayer in W.P.No.39562 of 2016: Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus to direct the 1 to 3 respondents to count the half of service rendered by the petitioner as Social Forestry Worker from 10.12.1982 to 24.01.1995 on temporary basis along with the regular service from 25.01.1995 till the date of retirement on 31.01.2016 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 all consequential benefits within time frame.

Prayer in W.P.No.39563 of 2016: Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus to direct the 1 to 3 respondents to count the half of service rendered by the petitioner as Plot Watcher from 01.10.1983 to 06.08.2009 on temporary basis along with the regular service from 07.08.2009 till the date of retirement on 31.12.2009 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 all consequential benefits within time frame.

Prayer in W.P.No.39564 of 2016: Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus to direct the 1 to 3 respondents to count the half of service rendered by the petitioner as Plot Watcher from 01.02.1980 to 06.08.2009 on temporary basis along with the regular service from 07.08.2009 till the date of retirement on 30.06.2015 as qualifying service for the purpose of conferment of pension and to direct the respondents to send pension proposal to the fourth respondent for conferred the same with all consequential benefits within time frame.

For Petitioner : Mr.K.Jenitha,
in all the W.Ps.

For Respondents : Mr.N.Inbanathan,
Govt. Advocate,
in all the W.Ps.

COMMON ORDER

By consent, the main writ petitions themselves are taken up for final disposal.

2. The petitioner in W.P.No.39562 of 2016 has come up with the present writ petition for a mandamus, directing the respondents 1 to 3 to count the half of service rendered by him as Social Forestry Worker from 10.12.1982 to 24.01.1995 on temporary basis along with the regular service from 25.1.1995 till the date of retirement on 31.1.2016 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 all consequential benefits within time frame.

3. The petitioner in W.P.No.39563 of 2016 has come up with the present writ petition for a mandamus, directing the respondents 1 to 3 to count the half of service Plot Watcher from 1.10.1983 to 6.8.2009 on temporary basis along with the regular service from 7.8.2009 till the date of retirement on 31.12.2009 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 all consequential benefits within time frame.

4. The petitioner in W.P.No.39564 of 2016 has come up with the present writ petition for a mandamus, directing the respondents 1 to 3 to count the half of service rendered by him as Plot Watcher from 1.2.1980 to 6.8.2009 on temporary basis along with the regular service from 7.8.2009 till the date of retirement on 30.6.2015 as qualifying service for the purpose of conferment of pension and to direct the respondents to send pension proposal to the fourth respondent for conferred the same with all consequential benefits within time frame.

5. I have heard the learned counsel appearing for the petitioners and the learned Government Advocate (Forest), who has taken notice on behalf of the respondents.

6. 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.

7. 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/-
Asst.Registrar (J)

/true copy/

Sub Asst. Registrar

sbi

To

1.The Secretary to Government

State of Tamilnadu

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

Thiruvarur Division Thiruvarur.

4.The District Forest Officer,

Trichy District,

Trichy

5.The Principal Accountant

General of Tamil Nadu Teynampet Chennai 18.

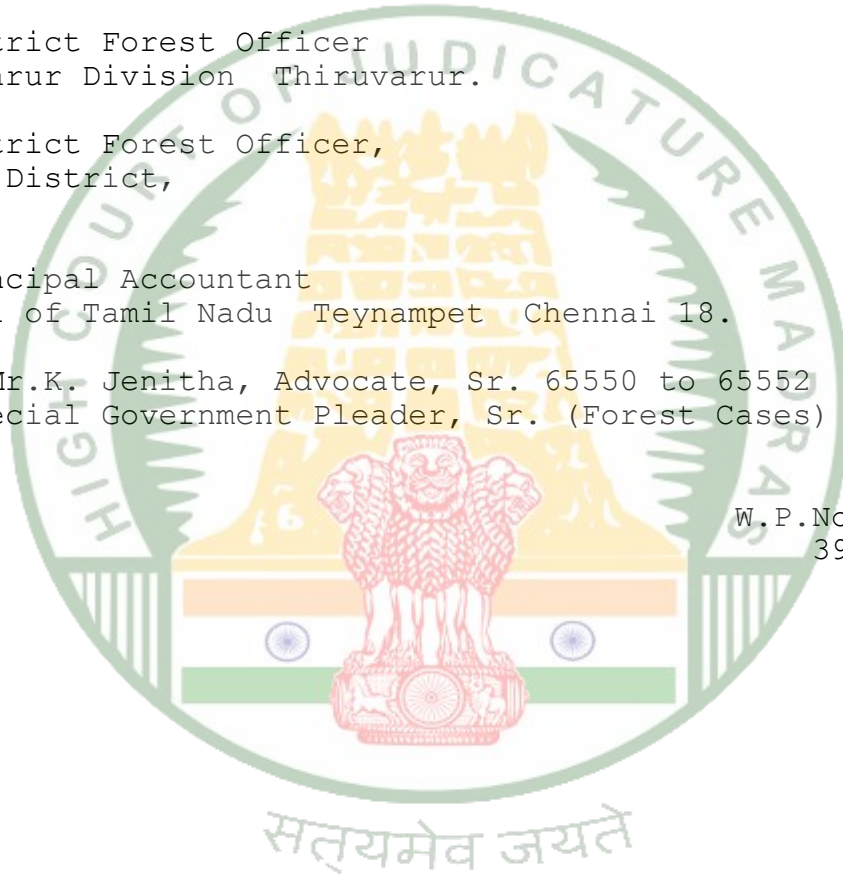
3 ccs to Mr.K. Jenitha, Advocate, Sr. 65550 to 65552

1 cc o Special Government Pleader, Sr. (Forest Cases) Sr. 64999

W.P.Nos.39562 to
39564 of 2016

GJ (CO)

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