

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.11.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos.40325 and 40326 of 2016

W.P.No.40325 of 2016:
S.Subramani

... Petitioner

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,
Tirupatttur,
Vellore District.

4.The Accountant General
of Tamil Nadu,
Office at DMS Compound,
Teynampet, Chennai-18.

... Respondents

W.P.No.40326 of 2016:

C.Kuppusamy

सत्यमेव जयते

... Petitioner

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,
having office at Panagal Building,
Saidapet, Chennai-15.

3.The District Forest Officer cum Field Director,
Sathiyamangalam Tiger Project,
at Sathiyamangalam. Erode District.

4.The Accountant General
of Tamil Nadu,
Office at DMS Compound,
Teynampet, Chennai-18.

... Respondents.

Writ petition No.40325 of 2016 has been filed under Article 226 of the Constitution of India, praying for 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 1.5.1982 till 5.9.2003 along with the regular service rendered by him as Forest Watcher and Forest Guard from 6.9.2003 to till the date of his retirement namely 31.5.2016 as qualifying service send the revised proposal to the 4th respondent grant pension to the petitioner with all consequential monetary benefits and pass further suitable orders.

Writ petition No.40326 of 2016 has been filed under Article 226 of the Constitution of India, praying for 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 16.11.1981 till 30.6.2004 along with the regular service rendered by him as Forest Watcher and Forest Guard from 1.7.2004 to till the date of his retirement namely 31.7.2014 as qualifying service send the revised proposal to the 4th respondent grant pension to the petitioner with all consequential monetary benefits and pass further suitable orders.

For Petitioner: Mr.S.Mani,
in both the writ petitions.

For Respondents: Mr.N.Inabanathan,
Govt. Advocate (Forest),
in both 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 to count half of service rendered by them as Plot Watcher on daily wage basis from 1.5.1982 to 5.9.2003 and 16.11.1981 to 30.6.2004 respectively along with regular service rendered by them as Forest Watcher and Forest Guard from 6.9.2003 and 1.7.2004 respectively till their date of retirement on 31.5.2016 and 31.7.2014 respectively as qualifying service and send the

revised proposal to the fourth respondent, grant pension to them with all consequential monetary benefits.

3. 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.

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 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 (CS II)

/true copy/

Sub Asst. Registrar

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
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3.The District Forest Officer,
Tirupatttur,
Vellore District.

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of Tamil Nadu,
Office at DMS Compound,
Teynampet, Chennai-18.

5.The District Forest Officer cum Field Director,
Sathiyamangalam Tiger Project,
at Sathiyamangalam,Erode District.

+2 cc's to Mr.S.mani,advocate,sr.66409.

ss(co)
krd 26/12

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40326 of 2016



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