

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.11.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.40455 of 2016

N.Pitchai

... Petitioner

Vs.

- 1.The Secretary to Government
Rep by its Secretary
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
Thirunelveli Division Tirunelveli
- 4.The Accountant General of Tamil Nadu
Office at DMS Compound
Chennai-600 018

... 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 the service rendered by the petitioner as Plot Watcher Forest Watcher on daily wage basis from 1.1.1982 to 18.1.2005 along with the regular service rendered by him as Forest Watcher and Forest Guard from 19.1.2005 till the date of retirement on 30.4.2015 as qualifying service and send the revised proposal to the fourth respondent for grant pension to the petitioner with all consequential monetary benefits.

For Petitioner : M/s.T.Dharani

For Respondents : Mr.N.Inabanathan,
Government Advocate (Forest)

ORDER

By consent, the main writ petition itself is taken up for final disposal.

2. The petitioner has come up with the present writ petition for a mandamus, directing the respondents 1 to 3 to count half of the service rendered by him as Plot Watcher and Forest Watcher on daily wage basis from 1.1.1982 to 18.1.2005 along with the regular service rendered by him as Forest Watcher and Forest Guard from 19.1.2005 till the date of retirement on 30.4.2015 as qualifying service and send the revised proposal to the fourth respondent for grant pension to him with all consequential monetary benefits.

3. I have heard the learned counsel appearing for the petitioner 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 petition is 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(CS II)

//True Copy//

sbi

To

1.The 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
Thirunelveli Division Tirunelveli

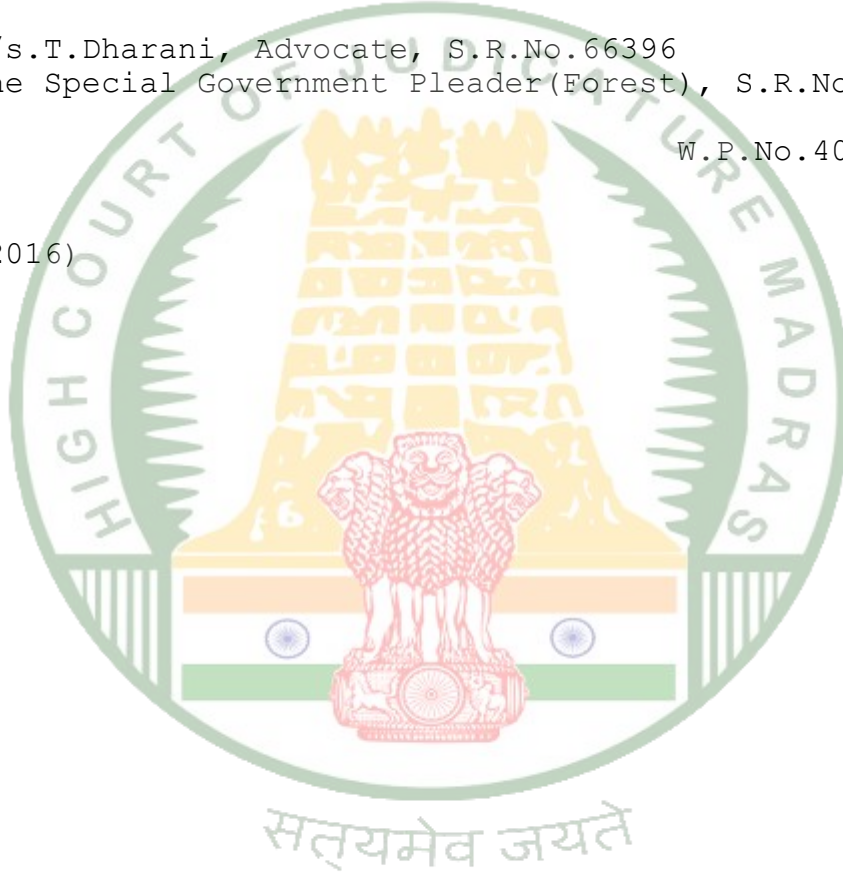
4.The Accountant General of Tamil Nadu
Office at DMS Compound
Chennai-600 018

+1cc to M/s.T.Dharani, Advocate, S.R.No.66396

+1cc to the Special Government Pleader(Forest), S.R.No.66644

W.P.No.40455 of 2016

GMI (CO)
CA(15/12/2016)



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