

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.11.2016

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THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos.40655 and 40656 of 2016

M.Ponnusamy ... Petitioner in W.P.40655/2016

D.Veeramalai ... Petitioner in W.P.40656/2016

Vs.

- 1.The Government of Tamil Nadu
Rep by its Secretary
Environment & 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
Dindigul
- 4.The Accountant General of Tamil Nadu
Office at DMS Compound
Teynampet Chennai-600 018. ... Respondents in both the WPs

Writ petition No.40655 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 01.12.1983 till 06.08.2009 along with the regular service rendered by him as Plot Watcher (Supernumerary Post) from 07.08.2009 to till the date of his retirement namely 31.10.2016 as qualifying service send the revised proposal to the 4th respondent grant pension to the petitioner with all consequential monetary benefits.

Writ petition No.40656 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 01.05.1983 till 19.12.2008 along with the regular service rendered by him as Forest Watcher from 20.12.2008 to till the date of his retirement namely 31.10.2016 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 both the writ petitions.

For Respondents : Mr.N.Inabanathan,
Government 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 1 to 3 to count half of service rendered by them prior to their regularization for the purpose of grant of pensionary 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 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.

5. Therefore, both 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/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

sbi

To

1.The Secretary to
Government,
State of Tamil Nadu,
Environment and Forest Department
Fort St. George, Chennai-9.

2.The Principal
Chief Conservation of Forest having office at
Panagal Building Saidapet
Chennai-600 015

3.The District Forest Officer
Dindigul

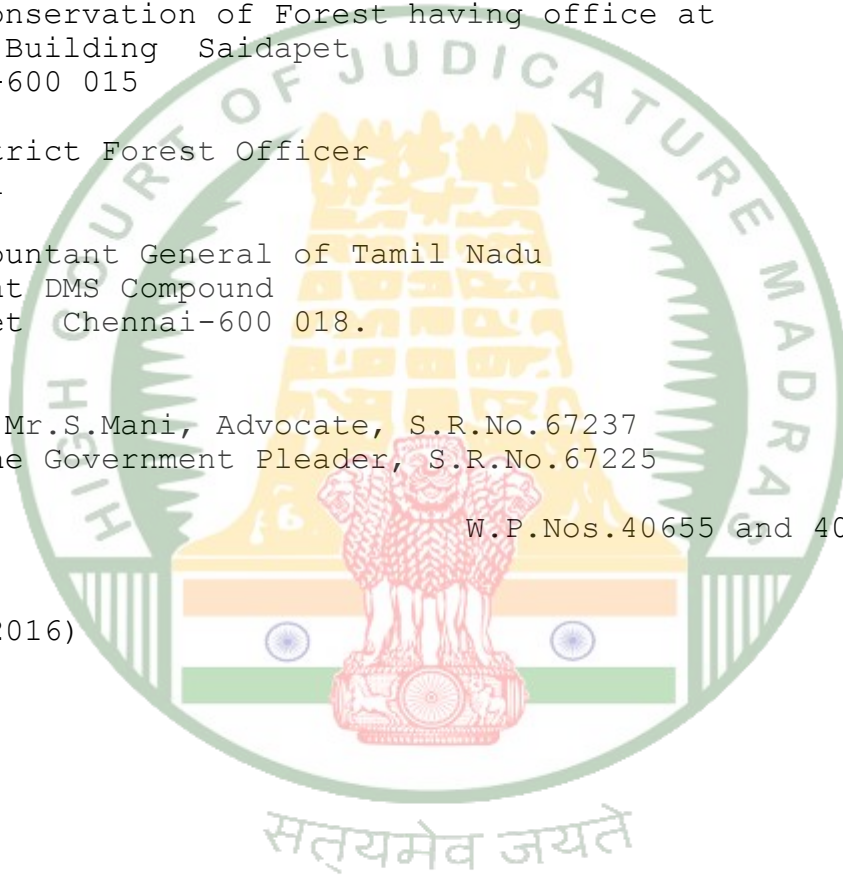
4.The Accountant General of Tamil Nadu
Office at DMS Compound
Teynampet Chennai-600 018.

+2cc's to Mr.S.Mani, Advocate, S.R.No.67237

+1cc to the Government Pleader, S.R.No.67225

W.P.Nos.40655 and 40656 of 2016

SR(CO)
CA(14/12/2016)



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