

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.11.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos.41431 and 41432 of 2016

W.P.No.41431 of 2016:

P.Sermapandian ... Petitioner

Vs

- 1 The Government of Tamil Nadu
Rep by its Secretary Environment and Forest
Department Fort St. George Chennai 9
 - 2 The Principal Chief
Conservation of Forest Having Office at
Panagal Building Saidapet Chennai 15
 - 3 The District Forest Officer
Tuticorin
 - 4 The Accountant General of
Tamil Nadu Office at DMS Compound
Teynampet Chennai 18
- ... Respondents

Writ petition No.41431 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 11.6.1983 till 6.8.2009 along with the regular service rendered by him as Plot Watcher Supernumerary Post from 7.8.2009 till the date of his retirement namely 31.12.2014 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.

W.P.No.41432 of 2016:

P.Appadurai

.. Petitioner

Vs

- 1 The Government of Tamil Nadu
Rep by its Secretary Environment and Forest
Department Fort St. George Chennai 9
- 2 The Principal Chief
Conservation of Forest Having Office at
Panagal Building Saidapet Chennai 15
- 3 The District Forest Officer
Sivagangai
- 4 The Accountant General of
Tamil Nadu Office at DMS Compound
Teynampet Chennai 18

... Respondents

Writ petition No.41432 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 1.1.1982 till 22.6.2004 along with the regular service rendered by him as Forest Watcher and Forest Guard Posts from 23.6.2004 till the date of his retirement namely 31.3.2016 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.

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

For Respondents : Mr.E.Manogaran,
Addl. Govt. Pleader (Forest)

COMMON ORDER

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

2. The petitioner in W.P.No.41431 of 2016 has come up with the present writ petition for a mandamus, directing the respondents to count half of the service rendered by him as Plot Watcher on daily wage basis from 11.6.1983 till 6.8.2009 along with the regular service rendered by him as Plot Watcher Supernumerary Post from 7.8.2009 till the date of his retirement namely 31.12.2014 as qualifying service, send the revised proposal to the fourth respondent, grant pension to him with all consequential monetary benefits.

3. The petitioner in W.P.No.41432 of 2016 has come up with the present writ petition for a mandamus, directing the respondents to count half of the service rendered by him as Plot Watcher on daily wage basis from 1.1.1982 till 22.6.2004 along with the regular service rendered by him as Forest Watcher and Forest Guard Posts from 23.6.2004 till the date of his retirement namely 31.3.2016 as qualifying service, send the revised proposal to the fourth respondent, grant pension to him with all consequential monetary benefits.

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

5. 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.

6. 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/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

sbi

To

1 The Government of Tamil Nadu
Rep by its Secretary Environment and Forest
Department Fort St. George Chennai 9

2 The Principal Chief
Conservation of Forest Having Office at
Panagal Building Saidapet Chennai 15

3 The District Forest Officer
Tuticorin

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

5 The District Forest Officer, Sivagangai

+2cc to Mr.S. Mani, Advocate, S.R.No.68894

+1cc to the Spl.Government Pleader (Forest), S.R.No.69239

ak(CO)

cp(29/12/2016)

W.P.Nos. 41431 and 41432 of 2016

सत्यमेव जयते

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