



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.12.2016

CORAM:

THE HONOURABLE Mr.JUSTICE S.VAIDYANATHAN

W.P. (MD) No.24565 of 2016

Deivam

... Petitioner

Vs.

- 1.The Government of Tamil Nadu,
Rep.by the Secretary to Government,
Finance (Pension) Department,
Fort St.George,
Chennai - 9.
- 2.The Principal Accountant General,
The Principal Accountant General of Tamil Nadu,
Teynampet, Chennai - 18.
- 3.The Principal Chief Conservator of Forests,
Panagal Building,
Chennai - 15.
- 4.The District Forest Office,
Theni Forest Division,
K.R.R.Nagar, Theni District.
- 5.The Divisional Forest Officer,
Varusanadu Soil Conservation Division,
K.R.R.Nagar, Theni District.

... Respondents

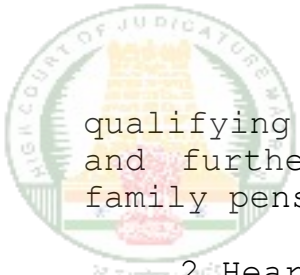
PRAYER: Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 5 to count the half of the service rendered by the petitioner's husband as Social Forestry Worker / Plot Watcher from 01.01.1981 to 06.05.2003 along with regular service as Forest Watcher from 06.05.2003 till his date of death 18.02.2012 as the qualifying service and send the pension proposal to the 2nd respondent and to further direct the 2nd respondent to sanction the eligible family pension and all other terminal benefits to the petitioner.

For Petitioner : Mr.J.Lawrance

For Respondents : Mr.A.K.Baskarapandian, Spl.G.P.for R1, 3 to 5
Mr.P.Gunasekaran for R2

O R D E R

The petitioner seeks for a Writ of Mandamus, directing the respondents 1 to 5 to count the half of the service rendered by the petitioner's husband as Social Forestry Worker / Plot Watcher from 01.01.1981 to 06.05.2003 along with regular service as Forest Watcher from 06.05.2003 till his date of death 18.02.2012 as the



qualifying service and send a pension proposal to the 2nd respondent and further, direct the 2nd respondent to sanction the eligible family pension and all other terminal benefits to the petitioner.

2. Heard the learned counsel for the petitioner and the learned Special Government Pleader appearing for the respondents 1, 3 to 5 and also the learned counsel for the 2nd respondent.

3. It is admitted on both sides that the issue raised in this Writ petition is covered by the decision of N. Paul Vasanthakumar, J., in W.P.No.8205 of 2011 dated 19.04.2011 and W.P.No.13832 of 2011 dated 29.06.2011. Both these orders were confirmed by the Division Bench in W.A.Nos.27 and 28 of 2012 by a common judgment dated 13.02.2012. The Special Leave petition filed by the State against these judgments in S.L.P.(Civil) Nos.14838 and 14839 of 2012 were also dismissed on 10.05.2012.

4. Therefore, the Writ petition is allowed on the same lines as the above Writ petitions were allowed. The order shall be implemented within a period of 12 weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar (CS-II)

/True copy/

Sub Assistant Registrar/

To

1. The Secretary to Government,
Finance (Pension) Department,
Fort St. George,
Chennai - 9.

2. The Principal Accountant General,
The Principal Accountant General of Tamil Nadu,
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4. The District Forest Office,
Theni Forest Division,
K.R.R.Nagar, Theni District.

5. The Divisional Forest Officer,
Varusanadu Soil Conservation Division,
K.R.R.Nagar, Theni District.

+1Cc to Mr. J. Lawrance, Advocate, SR. NO. 83348

+1cc to Mr. P. Gunasekaran, Advocate, SR. NO. 82937

+1cc to Special Government Pleader, copy application, Sr.no. 83492

NBJ

JS/em/25.01.2017/2p-9c

<https://hcservices.ecourts.gov.in/hcservices/>

W.P. (MD) No. 24565 of 2016
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