

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :21.11.2017

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. No.32489 of 2014

P.Kuppusamy

..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 &
Head of the Department,
Panagal Building,
Saidapet,
Chennai - 15.
- 3.The Divisional Forest Officer,
Social Forestry Division,
Sathuvacharry,
Vellore - 632 009.
- 4.The Principal Accountant General of Tamil Nadu,
Teynampet,
Chennai - 18.

.. Respondents

PRAYER : Petition filed Under Article 226 of the Constitution of India to issue of Writ of Mandamus, to direct the respondents to regularize petitioner's service with effect from the date of his juniors regularization on 24.01.1995 and to direct the respondent 1 to 3 to count half of the service rendered by his as plot watcher from 01.04.1982 to 23.01.1995 on temporary basis along with the regular service from 24.01.1995 till the date of retirement on 30.06.2009 as qualifying service for the purpose of conferment of pension and to direct the respondents to send pension proposal including family pension, Gratuity and commuted Value of pension to the fourth respondent to authorize the same with all consequential benefits within the time frame.

(Prayer amended as per order dated 17.08.2017 in W.M.P.No.19979 of 2017 in W.P.No. 32489 of 2014)

For Petitioner : Mr.K.Jenitha

For Respondents : Mr.E.Manoharan For RR1 to 3
Additional Government Pleader
(Forests)

: Mrs.T.S.Selvarani for R4

O R D E R

The relief sought for in this Writ petition is to direct the respondents to regularize the service of the petitioner with effect from the date on which his juniors were regularized and further direct the respondents to count half of the service rendered by the writ petitioner as Plot Watcher.

2.The learned counsel appearing on behalf of the writ petitioner restricts the prayer sought for in this writ petition by stating that it is suffice if a direction is issued to consider the representation submitted by the writ petitioner.

3.The learned Additional Government Pleader (Forests) appearing on behalf of the respondents 1 to 3 opposed the contentions by stating that the writ petitioner is not eligible for retrospective regularization as such sought for in this writ petition. However, it is for the authority to consider in this regard and take a decision. In this view of the matter the second respondent is directed to consider the representation submitted by the writ petitioner on 05.04.2014, and pass orders on merits, in accordance with law, within a period of twelve weeks from the date of the receipt of a copy of this order. The petitioner is directed to enclose the copy of the representation along with the order passed in this Writ Petition.

4.Accordingly, this Writ Petition stands disposed of. However, there shall be no order as to costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

stm

To

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

2.The Principal Chief Conservator of Forest &
Head of the Department,
Panagal Building,
Saidapet,
Chennai - 15.

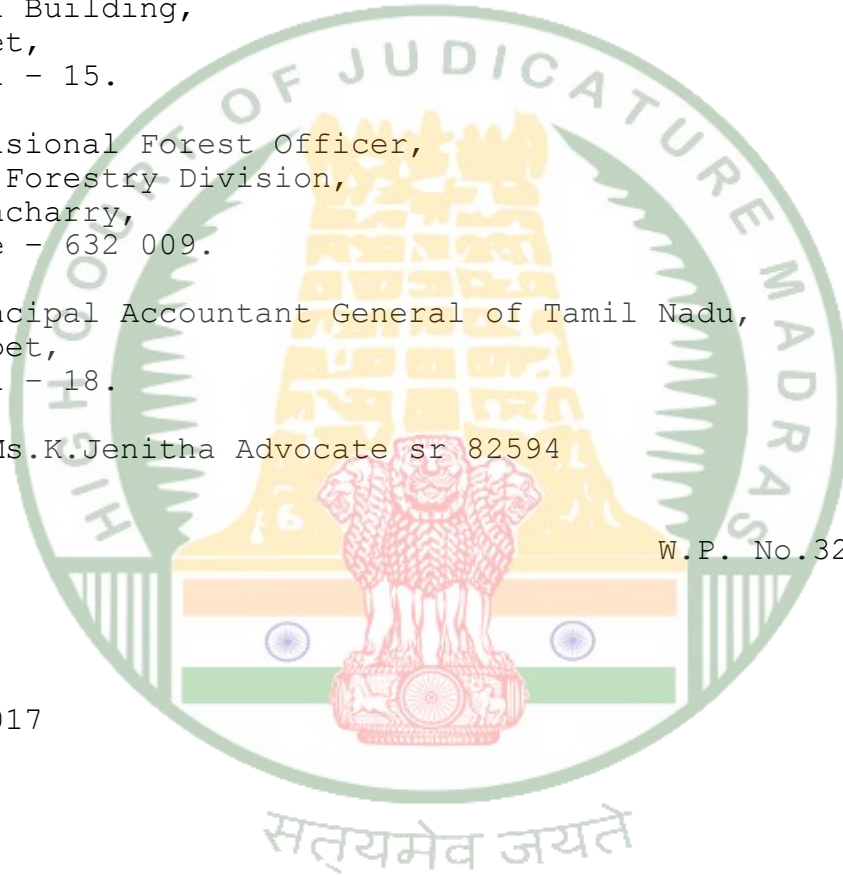
3.The Divisional Forest Officer,
Social Forestry Division,
Sathuvacharry,
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4.The Principal Accountant General of Tamil Nadu,
Teynampet,
Chennai - 18.

+1 cc to Ms.K.Jenitha Advocate sr 82594

W.P. No.32489 of 2014

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