

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.05.2017

CORAM:

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

W.P.Nos.13452 to 13454 of 2017

K.Govindaraj .. Petitioner in WP.No.13452/17

V.Nadarajan .. Petitioner in WP.No.13453/17

K.Chinnasamy .. Petitioner in WP.No.13454/17

Vs

- 1.The Government of Tamil Nadu
rep. by its Secretary,
Environment and Forest Department,
Secretariat, Chennai 600 009.
- 2.The Principal Chief Conservator of Forest,
having office at Panagal Maaligai,
Saidapet,
Chennai 600 015. Respondents 1 and 2 in all WPs
- 3.The District Forest Officer,
Kallakurichi,
Villupuram District.
... 3rd Respondent in W.P.No.13452 of 2017
- 3.The District Forest Officer,
Thiruvannamalai North Division O/O at Polur.
... 3rd Respondent in W.Ps.13453 and 13454 of 2017
- 4.The Accountant General of Tamil Nadu
Office at DMS Compound, Teynampet,
Chennai 600 018.
... 4th Respondent in all the W.Ps.

PRAYER IN WP.No.13452 of 2017: Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the 1 to 3 respondents to count half of the service rendered by the petitioner as Plot Watcher

on daily wage basis from 01.10.1975 till 03.04.2003 along with regular service rendered by him as Forest Watcher and Forest Guard from 04.04.2003 till the date of his retirement namely 31.03.2017 as qualifying service, send the revised proposal to the fourth respondent, grant pension to the petitioner with all consequential monetary benefits.

PRAYER IN WP.No.13453 of 2017: Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the 1 to 3 respondents to count half of the service rendered by the petitioner as Plot Watcher from 01.11.1982 till 06.08.2009, along with the regular service rendered by him as Forest Watcher from 07.08.2009, till the date of retirement on 31.05.2015, as qualified service send the revised proposal to the fourth respondent, grant pension to the petitioner with all consequential monetary benefits.

PRAYER IN WP.No.13454 of 2017: Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the 1 to 3 respondents to count half of the service rendered by the petitioner as Plot Watcher on daily wages from 01.12.1981 till 07.08.2009, along with the regular service rendered by him as Forest Watcher and Forest Guard from 07.08.2009, till the date of retirement on 30.04.2016, as qualified service send the revised proposal to the fourth respondent, grant pension to the petitioner with all consequential monetary benefits.

For Petitioners in
all the W.Ps. : Mr.S.Mani

For Respondents in
all the W.Ps. : Mr.M.Santhanaraman,
Addl.Government Pleader

C O M M O N O R D E R

Heard Mr.S.Mani, learned counsel appearing for the petitioners and Mr.M.Santhanaraman, learned Additional Government Pleader accepting notice for respondents. With the consent of the learned counsel on either side, the Writ Petitions are taken up for final disposal.

2.The Writ Petition in W.P.No.13452 of 2017 has been filed for a mandamus, directing the 1 to 3 respondents to count half of the service rendered by the petitioner as Plot Watcher on daily wage basis from 01.10.1975 till 03.04.2003 along with regular service rendered by him as Forest Watcher and Forest Guard from 04.04.2003 till the date of his retirement namely 31.03.2017 as qualifying service, send the revised proposal to the fourth respondent, grant pension to the petitioner with all consequential monetary benefits.

3.The writ petition in W.P.No.13453 of 2017 has been filed for a mandamus, directing the 1 to 3 respondents to count half of the service rendered by the petitioner as Plot Watcher from 01.11.1982 till 06.08.2009, along with the regular service rendered by him as Forest Watcher from 07.08.2009, till the date of retirement on 31.05.2015, as qualified service send the revised proposal to the fourth respondent, grant pension to the petitioner with all consequential monetary benefits.

4.The writ petition in W.P.No.13454 of 2017 has been filed for a mandamus, directing the 1 to 3 respondents to count half of the service rendered by the petitioner as Plot Watcher on daily wages from 01.12.1981 till 07.08.2009, along with the regular service rendered by him as Forest Watcher and Forest Guard from 07.08.2009, till the date of retirement on 30.04.2016, as qualified service send the revised proposal to the fourth respondent, grant pension to the petitioner with all consequential monetary benefits.

5. It is admitted by the learned counsel appearing on either side that the issue raised in these 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, which were confirmed by the Hon'ble 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 those Judgments in S.L.P (Civil) Nos.14838 and 14839 of 2012 were also dismissed on 10.5.2012 by the Honourable Apex Court.

6. Therefore, all these Writ Petitions are allowed on the same lines as the said writ petitions were allowed and 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

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To,

- 1.The Secretary, Government of Tamil Nadu
Environment and Forest Department,
Secretariat, Chennai 600 009.
- 2.The Principal Chief Conservator of Forest,
having office at Panagal Maaligai,
Saidapet, Chennai 600 015.
- 3.The District Forest Officer,
Kallakurichi, Villupuram District.
- 4.The District Forest Officer,
Thiruvannamalai North Division O/O at Polur.
- 5.The Accountant General of Tamil Nadu
Office at DMS Compound, Teynampet,
Chennai 600 018.

+3cc to Mr.S.Mani, Advocate Sr.38015
+1cc to the Special Government Pleader Sr.37934

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W.P.Nos.13452
to 13454 of 2017

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