

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.10.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.26494 of 2017

G.Loganathan

.. Petitioner

-vs-

1. Government of Tamil Nadu
represented by its Secretary
Environment and Forest Department
Fort St.George
Chennai 600 009
 2. The Principal Chief Conservator of Forest
Office at Panagal Maaligai
Saidapet, Chennai 600 015
 3. The District Forest Officer
Kancheepuram
Kancheepuram District
 4. The Accountant General of Tamil Nadu
Office at DMS Compound
Teynampet
Chennai 600 018
- ... Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondents to count the period of service rendered by the petitioner from 26.10.1970 instead of 17.10.1978 for the purpose of calculating and disbursing the terminal benefits payable to the petitioner by considering his representation dated 06.03.2017 within a time to be specified by this Hon'ble Court.

For Petitioner :: Mr.S.Mani

For Respondents:: Mr.M.Santhanaraman
Additional Government Pleader
for R1 to 3

ORDER

The petitioner was appointed as Forest Watcher on 26.10.1970. After eight years, he was promoted as Forest Guard and thereafter he was further promoted as Forester in the year 2003. As he reached the age of superannuation on 30.9.2008, he

was not permitted to retire from service on certain allegations and a charge memo was issued to him by the Tribunal for Disciplinary Proceedings. After a full fledged enquiry, the Tribunal found that the charges levelled against the petitioner were not proved and further ordered to pay a compensation of Rs.50,000/- to the petitioner for having levelled false allegations against him on 30.5.2013. Subsequently, the charges were also dropped on 19.3.2015. Pursuant thereto, he was permitted to retire from service by the order dated 27.1.2016. In this background, the claim of the petitioner is that instead of counting his service from the date of initial appointment viz., from 26.10.1970 for the purpose of pensionary benefits, the respondents have counted the service only from 17.10.1978. In this regard, he has also given a representation on 6.3.2017 and the same is pending for a long time. Therefore, the petitioner has approached this Court seeking for a direction for disposal of his representation.

2. Mr.M.Santhanaraman, learned Additional Government Pleader appearing for the respondents 1 to 3 sought four weeks time to dispose of the pending representation of the petitioner.

3. In view of the above, the second respondent is hereby directed to consider the pending representation of the petitioner on merits and pass appropriate orders in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar (CCC)
//True Copy//

Sub Assistant Registrar

ss

To

1. The Secretary to Government
Environment and Forest Department
Fort St.George, Chennai 600 009
2. The Principal Chief Conservator of Forest
Office at Panagal Maaligai
Saidapet, Chennai 600 015
3. The District Forest Officer
Kancheepuram, Kancheepuram District
4. The Accountant General of Tamil Nadu
Office at DMS Compound
Teynampet, Chennai 600 018

+ 1 cc to Mr. S. Mani, Advocate Sr.72894

+ 1 cc to the Special Government Pleader Sr.72797

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BR(CO)

EU(08/11/2017)

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