



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.06.2017

CORAM:

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**THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
AND
THE HONOURABLE MR.JUSTICE P.VELMURUGAN**

W.A. (MD) No.726 of 2017 &
C.M.P. (MD) .No.5490 of 2017

- 1.The Government of Tamil Nadu,
Rep. By its Principal Secretary to Government,
Forest and Environment Department,
Fort St. George,
Chennai-600 009.
 - 2.The Principal Chief Conservator of Forests,
No.1, Jennis Road, Panagal Building,
Saidapet, Chennai-600 015.
 - 3.The Wild Life Warden/District Forest Officer,
Grizzled Squirrel Wildlife Sanctuary,
Srivilliputhur,
Virudhunagar District.
 - 4.The Accountant General of Tamil Nadu,
Office of the Accountant General,
Anna Salai, Teynampet,
Chennai-600 018.
- ...Appellants/Respondents.
- I.Ponnu ...Respondent/ Petitioner

PRAYER: Writ Appeal is filed under Clause 15 of Letters Patent against the order, dated 03.11.2014, made in W.P.(MD).No.17666 of 2014.

Prayer in WP(MD)No.17666 of 2014:-

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the Respondents 1 to 3 to count half of the service rendered by the petitioner as Plot Watcher from 13.06.1983 to 13.12.2008 along with regular service rendered by him as a Forest Watcher from 13/12/2008 to 31/05/2014 as qualifying service for pensionary benefits send the revised proposal to the 4th Respondent and to grant pension with all consequential monetary benefits within the stipulated period which this Honourable Court may deem fit.



For Appellants : Mr.V.Muruganandham
Addl. Govt. Pleader
For Respondent : Mr.G.Marimuthu

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JUDGMENT

[Judgment of the Court was delivered by T.S.SIVAGNANAM, J]

By consent, the writ appeal itself is taken up for final disposal.

Heard Mr.V.Muruganandham, learned Additional Government Pleader appearing for the appellants and Mr.G.Marimuthu, learned counsel appearing for the respondent.

2. This appeal is directed against the order, dated 03.11.2014 in W.P.(MD).No.17666 of 2014. The said writ petition was filed by the respondent for issuance of writ of mandamus directing the appellants 1 to 3 to count half of the service rendered by the respondent Plot Watcher from 13.06.1983 to 13.12.2008 along with regular service rendered by him as a Forest Watcher from 13.12.2008 to 31.05.2014 as qualifying service for pensionary benefits and sent the revised proposal to the fourth respondent and to grant pension. During the pendency of the appeal, the first appellant has passed an order on 21.05.2015 complying with the direction issued by the Writ Court and pursuant to which, the pension is being received by the respondent. However, it is submitted by the learned Additional Government pleader that the compliance is subject to out come of the writ appeal.

3.On a perusal of the order passed in the writ petition, it is seen that the writ petition was allowed following earlier orders passed by this Court in similar matters. There is no record placed before us by the appellants to show that as against such orders, appeals were preferred by the appellants. Thus, we find there is no ground to take a different view as the writ petition was allowed based on the earlier order, dated 03.08.2012 which has attained finality.

4.For the above reasons, there are no merits in the appeal and hence, the writ appeal is dismissed. No costs. Consequently, connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar(Records)

/True Copy/



To
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das/am
RL/5C/3P/KP/SAR1/5/7/2017

W.A. (MD) No.726 of 2017

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