



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.02.2017

CORAM:

THE HONOURABLE Mr. JUSTICE S. VAIDYANATHAN

W.P. (MD) No. 3119 of 2017

WEB COPY

G.Matharasi

... Petitioner

Vs.

1. The Government of Tamil Nadu,
Rep. by its Secretary,
Forest and Environment Department,
Secretariat, Chennai 600 009.

2. The Principal Chief Conservator of Forest,
Panagal Building, Saidapet,
Chennai.

3. The Forest Range Officer,
Social Forest Range,
Tirunelveli.

... Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to fix and disburse family pension and other monetary benefits to the petitioner by counting half of the service rendered by the petitioner's husband namely, R. Gurusamy from 01.04.1987 to 06.08.2009 as Plot Watcher on daily wage basis along with regular scale of pay service rendered by the petitioner's husband from 07.08.2009 to 13.09.2015 with all consequential benefits.

For Petitioner : Mr. S. Sivakumar

For Respondents : Mr. A. K. Baskarapandian, Spl. G. P.

O R D E R

The petitioner seeks for a Writ of Mandamus, directing the respondents to fix and disburse family pension and other monetary benefits to the petitioner by counting half of the service rendered by the her husband namely, R. Gurusamy from 01.04.1987 to 06.08.2009 as Plot Watcher on daily wage basis along with regular pay scale of service rendered by the her husband from 07.08.2009 to 13.09.2015 with all consequential benefits.

2. Mr. A. K. Baskarapandian, learned Special Government Pleader takes notice for the respondents 1 to 3 and by consent of both parties, the Writ petition is taken up for final disposal.

3. It is not in dispute that the issue is already covered by the Hon'ble Division Bench of this Court in W.A. Nos. 27 and 28 of 2012 dated 13.02.2012. Recently, the ratio laid down therein has also been followed in a batch of Writ



petition in W.P.No.8205 of 2011 dated 19.04.2011 and W.P.No.13832 of 2011 etc., dated 29.06.2011. The only contention of the respondents is that on verification of the particulars furnished by the petitioner, a firm decision could be arrived at whether the issue in question is covered by the earlier decision of this Court or not.

4.Under such circumstances, a direction is issued to the petitioner to once again forward a copy of the representation along with this order to the respondents within a period of 15 days from the date of receipt of this order. The respondents shall consider the case of the petitioner and also extend the similar benefits to them in the event of their fulfilling the conditions as laid down in the batch of cases (supra) within a period of 3 months thereafter.

5.With the above direction, this Writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar(C.O)

/True Copy/

Sub-Assistant Registrar

To

1.The Secretary, The Government of Tamil Nadu,
Forest and Environment Department,
Secretariat, Chennai 600 009.

2.The Principal Chief Conservator of Forest,
Panagal Building, Saidapet,
Chennai.

3.The Forest Range Officer,
Social Forest Range,
Tirunelveli.

+One cc to Mr.S.Sivakumar, Advocate, SR.No.11474

+One cc to The Special Government Pleader, SR.No.11602

nbj

RL/6C/2P/RSK/11.5.2017

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