



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.06.2017

CORAM :

THE HONOURABLE MR.JUSTICE **S.S.SUNDAR**

W.P.(MD)No. 4856 of 2017

R.Karuppasamy

... Petitioner

Vs.

1.The Government of Tamil Nadu,
Rep. by Secretary of Government,
Finance (Pension) Department,
Fort St.George, Chennai.

2.The Principal Chief Conservator of Forests,
Panagal Building, Chennai-15.

3.The District Social Forest Officer,
Virudhunagar District, Virudhunagar.

4.The Divisional Social Forest Officer,
Social Forest Division,
Collectorate Campus, Virudhunagar.

5.The Principal Accountant General,
The Principal Accountant General of Tamil Nadu,
Teynempet, Chennai-18.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records of the impugned order passed by the 4th respondent dated 22.02.2017 in O.Mu.No.437/2017-pa and quash the same and consequently direct the respondents 1 to 4, to count 50% of the service rendered by the petitioner as a social forest watcher from 01.07.1987 to 06.08.2009 along with the regular service as plot watcher from 07.08.2009 to 31.07.2016 as the qualifying service for the purpose of pension in accordance with Rule 11(2) of the Tamil Nadu Pension Rules, 1978 and send the revised pension proposal in accordance with law to the 5th respondent for sanction of the eligible pension and all other terminal benefits, arrears, emoluments as due to the petitioner within a time frame as fixed by this Court.

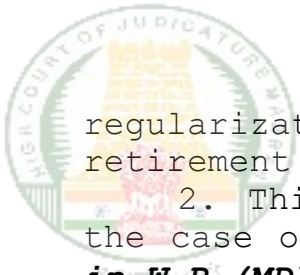
For Petitioner : Mr.Joseph Thathus Terome

For R1 to R4 : Mr.T.Gunaseelan Muthiah,
Government Advocate

For R5 : Mr.P.Gunasekaran

ORDER

<https://hcservices.courts.gov.in/hcservices/> This Writ Petition has been filed seeking a direction to the respondents to count 50% of the service rendered by the petitioner before regularization along with the service rendered after



regularization for the purpose of getting pension and other retirement benefits.

2. This Court in similar case, has passed following order in the case of **R.Panchavarnam vs. State of Tamil Nadu and four others in W.P. (MD) No. 19028 of 2016**, dated 04.10.2016.

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"Under such circumstances, the first respondent is directed to count half of the service of the petitioner (50%) before his absorption on 07.08.2009, i.e., from 01.12.1985 to 06.08.2009 along with the regular service from 07.08.2009, for the purpose of pension and thereafter, to settle the retirement benefits within a period of eight weeks from the dated of receipt of a copy of this order."

3. The petitioner in this case was working from 01.07.1987 as Social Forest Watcher on daily wage basis. Hence this petition is allowed by directing the first respondent to count half of the service of the petitioner from 01.07.1987 to 06.08.2009 along with the regular service from 07.08.2009 to 31.07.2016 for the purpose of pension and settle the retirement benefits within a period of eight weeks from the date of receipt of a copy of this order.

4.Hence, the Writ Petition is Allowed. No costs.

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar

To

- 1.The Secretary of Government
Government of Tamil Nadu,
Finance (Pension)Department,
Fort St.Georage,Chennai.
- 2.The Principal Chief Conservator of Forests,
Panagal Building, Chennai-15.
- 3.The District Social Forest Officer,
Virudhunagar District,
Virudhunagar.
- 4.The Divisional Social Forest Officer,
Social Forest Division,
Collectorate Campus, Virudhunagar.
- 5.The Principal Accountant General,
The Principal Accountant General of Tamil Nadu,
Teynempet,
Chennai-18.

+1cc to THE SPECIAL GOVERNMENT PLEADER in SR. No.59410

+1cc to MR.P.GUNASEKARAN Advocate in SR. No.59309

+1cc to Mr.S.ALAGUSUNDAR Advocate in SR. No.59327

SMI/GNS