

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 08.06.2017****CORAM :****THE HONOURABLE MR.JUSTICE S.S.SUNDAR****W.P.(MD)No. 6508 of 2017**

N.Ramasamy

... Petitioner

Vs.

1. The State of Tamil Nadu,
Rep. by its Secretary,
Forest and Environment (FR-2) Department,
Secretariat, Chennai-600 009.
2. The Principles Chief Conservator of Forest,
Panagal Building,
Saidapet, Chennai.
3. The District Forest Officer,
Forest Range Office,
Ramanathapuram.
4. The Forest Extension Officer,
Forest Extension Division Office,
Ramanathapuram.
5. The Principal Accountant General Officer,
Accountant General Office,
Chennai.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, or any other Writ or direction in the nature of Writ directing the respondents to pass orders to count half of the service of the petitioner before his absorption on 31.08.2009, ie from 15.12.1981 to 30.08.2009 along with the regular service from 31.08.2009 for the purpose of pension and settle the retirement benefits with 12% interest within the time stipulated by this Court.

For Petitioner : Mr.K.Seemaraj

For R1 to R5 : Mr.N.S.Karthikeyan,
Additional Government Pleader

For R6 : Mr.P.Gunasekaran



ORDER

Writ Petition has been filed seeking a direction to the respondents to count 50% of 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 the following order in the case of R.Panchavarnam vs. State of Tamil Nadu and four others in W.P.(MD)No. 19028 of 2016 order dated 04.10.2016.

"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 15.12.1981 as supernumerary plot watcher on daily wage basis at Social Forest Division Tiruchuli and his senior was regularised from 07.08.2009. He retired on 31.05.2015. Hence this petition is allowed by directing the first respondent to pass orders counting half of the service of the petitioner from 15.12.1981 to 30.08.2009 along with the regular service from 31.08.2009 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. The Writ Petition is Allowed, with the above direction. No costs.

Sd/-
Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar

To

1. The State of Tamil Nadu,
Rep. by its Secretary,
Forest and Environment (FR-2) Department,
Secretariat, Chennai-600 009.
2. The Principles Chief Conservator of Forest,
Panagal Building,
Saidapet,
Chennai.



3. The District Forest Officer,
Forest Range Office,
Ramanathapuram.

4. The Forest Extension Officer,
Forest Extension Division Office,
Ramanathapuram.

5. The Principal Accountant General Officer,
Accountant General Office,
Chennai.

+1cc to Mr.K.Seemaraj, Advocate Sr.No.59554

+1cc to Mr.P.Gunasekaran, Advocate Sr.No.59310

SMI/GSP/GNS

VB/MR/SAR1/03.07.2017/3P/8C

W.P.(MD) No. 6508 of 2017
08.06.2017