

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.04.2018

CORAM:

THE HON'BLE MR.JUSTICE K.K.SASIDHARAN

AND

THE HON'BLE MR.JUSTICE R.SUBRAMANIAN

W.A.No.78 of 2018 and

C.M.P.No.764 of 2018

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

2.The Principal Chief Conservator of Forests
Having Office at Panagal Maaligai,
Saidapet, Chennai 600 015.

3.The District Forest Officer
Kodaikanal Division, Kodaikanal.

4.The Accountant General of Tamil Nadu
Office at D.M.S. Compound
Teynampet, Chennai 600 018.Appellants/Respondents

Vs

V.PackirisamyRespondent/Petitioner

Prayer:- Writ Appeal filed under Clause 15 of Letters Patent Act, to set aside the order passed by this Court in W.P.No.39715 of 2015 dated 18.01.2016.

WP.No.39715 of 2015:filed under article 226 of the Constitution of India praying this court to issue a Writ, direction or order in the nature of a Writ of Mandamus directing the respondents 1 to 3 to count half of the service rendered by the petitioner as Plot Watcher on daily wage basis from 3.9.1982 to 19.1.2007 along with the regular service rendered by him as Forest Watcher from 20.1.2007 to till the date of his retirement namely 31.10.2013 as qualifying service send the revised proposal to the fourth respondent grant pension to the petitioner with all consequential monetary benefits

For Appellants : Mr.M.Santhanaraman
Addl. Government Pleader (Forests)

For Respondent : No appearance

J U D G M E N T

(Judgment of the Court was delivered by
K.K.SASIDHARAN, J.)

The Writ Petition filed by the respondent for counting half of his earlier service rendered as Plot Watcher from 3 September 1982 to 19 January 2007 for the purpose of fixing his pension was allowed by the learned Single Judge by following the earlier judgment in W.A.Nos.27 and 28 of 2012 dated 13 February, 2012, which was upheld by the Hon'ble Supreme Court by judgment dated 10 May, 2012 in SLP (Civil) Nos.14838 and 14839 of 2012.

2. We have heard the learned counsel for the appellant.

3. The learned Single Judge rightly allowed the Writ Petition filed by the respondent by following the earlier order passed by the learned Single Judge, which was upheld by the Division Bench and the Hon'ble Supreme Court. We are, therefore, of the view that the appellants have not made out a case to interfere with the order passed by the learned Single Judge.

4. In the upshot, we dismiss the intra court appeal filed by the State. The appellants are directed to comply with the order passed by the learned Single Judge within a period of eight weeks from the date of receipt of a copy of this judgment. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

सत्यमेव जयते

svki

To

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

2.The Principal Chief Conservator of Forests
Having Office at Panagal Maaligai,
Saidapet, Chennai 600 015.

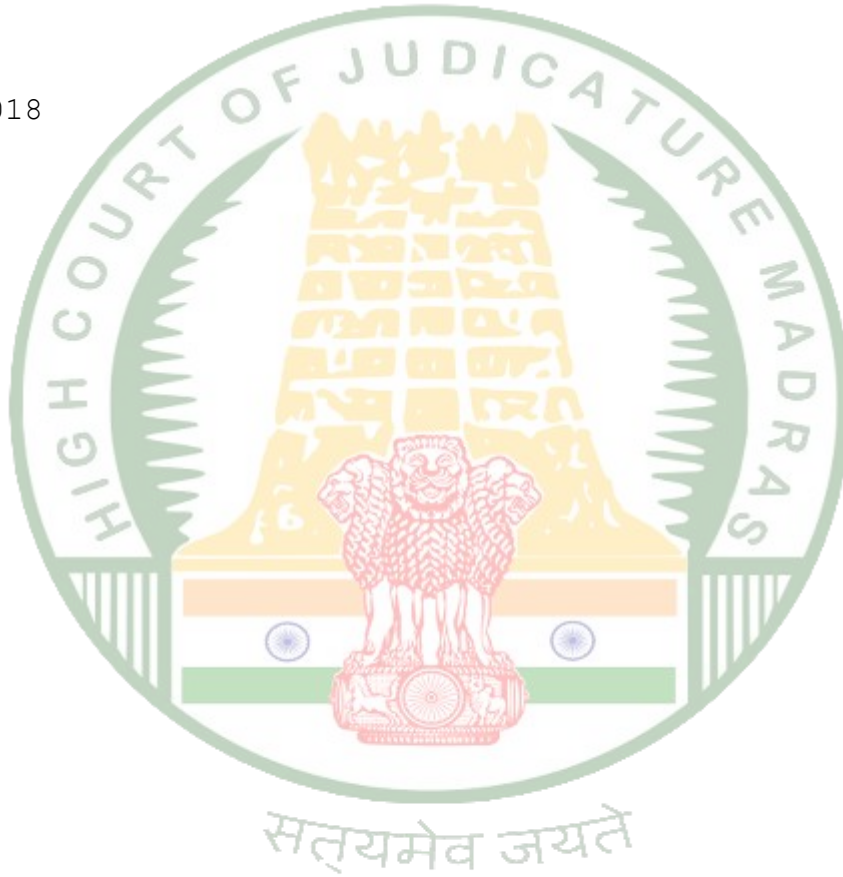
3.The District Forest Officer
Kodaikanal Division, Kodaikanal.

4.The Accountant General of Tamil Nadu
Office at D.M.S. Compound
Teynampet, Chennai 600 018

+1 cc to the Special Govt Pleader (Forest) sr 25292

W.A.No.78 of 2018

aa27/04/2018



WEB COPY