

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATE: 20.11.2018

CORAM
THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.30243 of 2018

T.Narasimman @ Narasimmalu

... Petitioner

vs.

- 1 Government of Tamil Nadu
Rep. by its Principal Secretary,
Animal Husbandry and Fisheries Department,
Secretariat, Chennai 9.
- 2 The Director of Animal Husbandry
and Veterinary services,
DMS Compound,
Chennai 600 006.
- 3 The Regional Joint Director
Animal Husbandry Department,
Thiruvallur District,
Thiruvallur.
- 4 The Assistant Director,
Animal Husbandry Department,
Thiruthani,
Thiruvallur District.
- 5 The Accountant General of Tamil Nadu,
Office of the Accountant General,
Anna Salai, Teynampet,
Chennai 18.

... Respondents.

PRAYER: Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondents to count half of the service rendered by the petitioner as Animal Husbandry Assistant (on temporarily services) on from 09.04.1992 to till 15.08.2012 along with regular service rendered by him as Animal Husbandry Assistant in the regular post with a time scale of pay on and from 16.08.2012 to 30.06.2018 as qualifying service for the purpose of granting pensionary benefits and sent the suitable proposal to the 5th respondent for sanctioning pension with the consequential monetary benefits of retirement.

For Petitioner : Mr.M.R.Jothimanian

For Respondents : Mr.A.N.Thambidurai,
Spl.Government Pleader

O R D E R

This Writ Petition has been filed for a mandamus, directing the respondents to count half of the service rendered by the petitioner as Animal Husbandry Assistant from 09.04.1992 till 15.08.2012, on temporary basis along with the regular service from 16.08.2012 till 30.06.2018 as qualifying service for the purpose of granting pensionary benefits and send proposal to the fifth respondent for sanctioning pension with all consequential monetary benefits.

2. When the matter was taken up for consideration, the learned counsel appearing on either side submitted that the issue involved herein is covered by the orders of this Court made in W.P.No.8205 of 2011, dated 19.4.2011 and W.P.No.13832 of 2011, dated 29.6.2011, which were confirmed by the Division Bench in W.A.Nos.27 and 28 of 2012, by common Judgment, dated 13.02.2012 and the Special Leave Petitions in S.L.P (Civil) Nos.14838 and 14839 of 2012 filed by the State against those Judgment were also dismissed on 10.05.2012.

3. Therefore, this Writ Petition is allowed on the same lines, as the above referred writ petitions were allowed, directing the respondents to count half of the service rendered by the petitioners as qualified service so as to confer pension etc. and pass necessary orders. Such orders shall be passed and implemented within a period of twelve weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

msv

To

- 1 The Principal Secretary
Government of Tamil Nadu
Animal Husbandry and Fisheries Department,
Secretariat, Chennai 9.

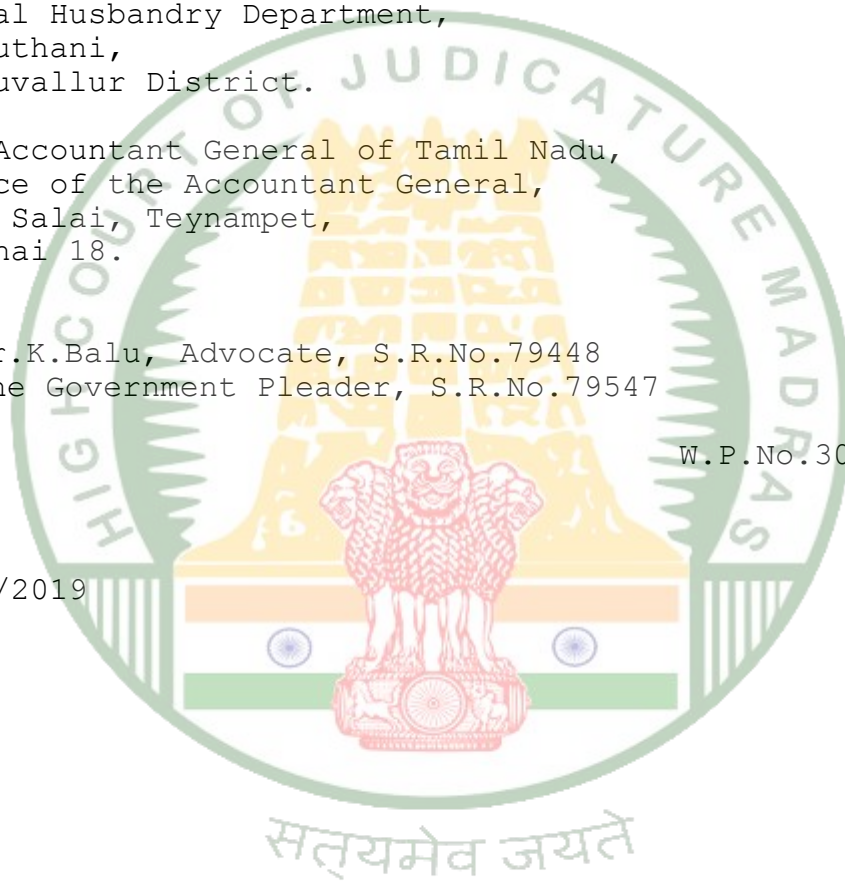
- 2 The Director of Animal Husbandry
and Veterinary services,
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- 3 The Regional Joint Director
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Thiruvallur.
- 4 The Assistant Director,
Animal Husbandry Department,
Thiruthani,
Thiruvallur District.
- 5 The Accountant General of Tamil Nadu,
Office of the Accountant General,
Anna Salai, Teynampet,
Chennai 18.

+1cc to Mr.K.Balu, Advocate, S.R.No.79448
+1cc to the Government Pleader, S.R.No.79547

W.P.No.30243 of 2018

CNR(CO)

rrs 02/01/2019



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