

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 05.12.2018
CORAM
THE HON'BLE DR.JUSTICE S.VIMALA
W.P.Nos.31938, 31943, 31945 and 31950 of 2018

G.Pannerselvam
V.Marimuthu
A.Balakrishnan
P.Govarthanan

.... Petitioner in W.P.31938/2018
.... Petitioner in W.P.31943/2018
.... Petitioner in W.P.31945/2018
.... Petitioner in W.P.31950/2018

Vs

- 1.The State of Tamil Nadu
rep.by its Secretary to Government
Environment and Forests Department
Fort St.George, Chennai 600 009.
 - 2.The Principal Chief Conservator of Forest
and Head of Forest Force, Panagal Building
Saidapet, Chennai-600 015.
 - 3.The Forestry Extension Officer
Forestry Extension Center, Chengalpet
Kancheepuram District.
 - 4,The Principal Accountant General of Tamil Nadu
Teynampet, Chennai 600 018.
- ... Respondents in all the W.Ps.

For Petitioner : Ms.K.Jenitha
For Respondent : Mr.K.K.Ramesh, Govt.Advocate
(Forests) - for R1 to R3
Mr.V.Vijay Shankar, Standing Counsel - for R4

Prayer in all the Writ Petitions : Writ Petitions filed under Article 226 of the Constitution of India seeking a writ of Mandamus directing the respondents to consider the representations in respect of revised pension for family pension, commuted value of pension and DCRG as per Government Letter No.22825/FR-2/2016-2 dated 02.02.2017 within the time frame.

COMMON ORDER

The petitioners are the retired employees of the Forest Department. They were initially appointed as Plot Watchers on daily wages basis, later regularised and have retired from service. The petitioners have earlier filed writ petitions before this Court, for a direction to count 50% of temporary service along with regular service for pension with all consequential benefits. The writ petitions were allowed as prayed for in the light of Rule 11(2) of the Tamil Nadu Pension Rules. It is the grievance of the petitioners that the fourth respondent issued authorisation to pay pension without taking into account the clarification issued by the letter issued by the Government in Letter No.22825/FR-2/2016-2 dated 02.02.2017, wherein it was clarified that the intention of the Government orders are to count 50% of the service rendered by the applicants on daily wages along with regular service for calculation of net qualifying service for sanction of pensionary benefits, as directed by the Honourable High Court of Madras. Pointing out the same, the petitioners have sent representations to the respondents, which have not been considered till date. Hence, the petitioners have filed the present writ petitions.

2. Mr.K.K.Ramesh, learned Government Advocate (Forests) takes notice on behalf of the respondents. Heard the learned counsel appearing on both sides and perused the materials placed on record.

3. In the above circumstances, this writ petitions are disposed of directing the fourth respondent to consider the representations of the petitioners in the light of the Government Letter No.22825/FR-2/2016-2 dated 02.02.2017, and pass orders thereon, in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. No costs.

Sd/-

सत्यमेव जयते
Assistant Registrar

//True Copy//

Sub Assistant Registrar

kst
To

1.The State of Tamil Nadu
rep.by its Secretary to Government
Environment and Forests Department
Fort St.George, Chennai 600 009.

2.The Principal Chief Conservator of Forest
and Head of Forest Force, Panagal Building
Saidapet, Chennai-600 015.

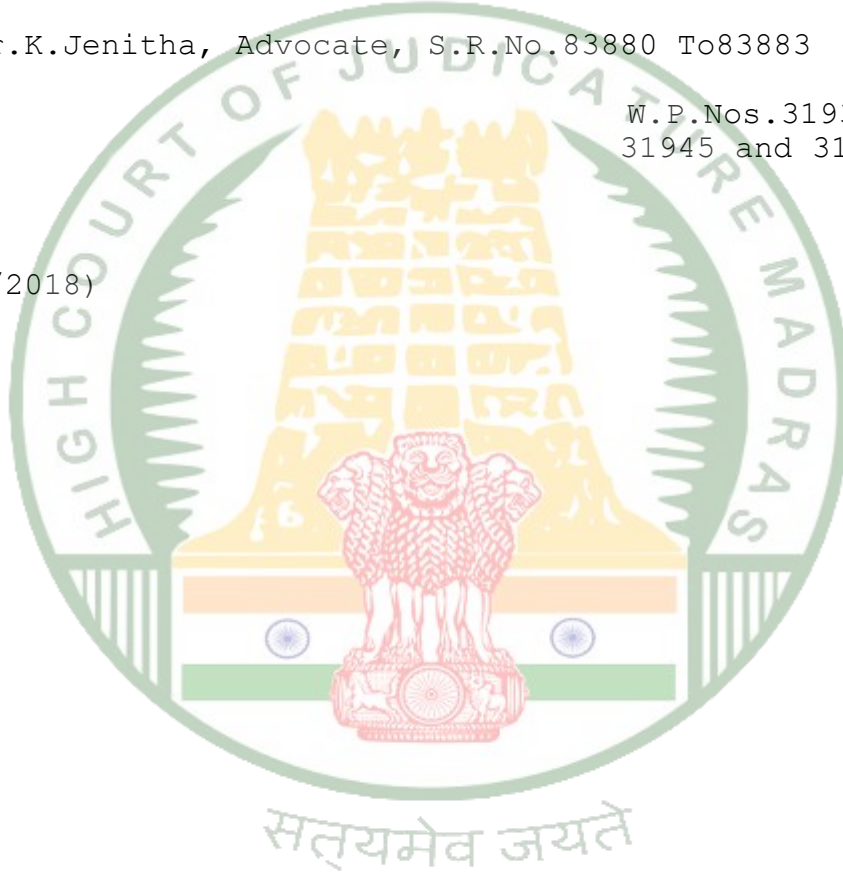
3.The Forestry Extension Officer
Forestry Extension Center, Chengalpet
Kancheepuram District.

4,The Principal Accountant General of Tamil Nadu
Teynampet, Chennai 600 018.

+4cc to Mr.K.Jenitha, Advocate, S.R.No.83880 To83883

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NMI (CO)
GSP (20/12/2018)



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