



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 06.07.2018
CORAM:

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

W.P. (MD) No.14527 of 2018

C.Sugumaran : Petitioner
Vs.

1.The Government of Tamil Nadu,
Rep. by its Secretary to Environment and
Forest Department,
Fort St. George,
Chennai-600 009.

2.The Principal Chief Conservator of Forest,
O/o. The Principal Chief Conservator of Forest,
Panagal Maligai,
Saidapet, Chennai-15.

3.The Chief Conservator of Forest,
Social Forestry,
Panagal Building,
Saidapet, Chennai-15.

4.The District Forest Officer,
The District Rural Development Agency,
Virudhunagar Division,
Virudhunagar District.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to count the temporary service from 25.09.1985 to 21.05.2013 along with permanent service from 22.05.2013 to 31.05.2017 and pay all consequential benefits and pension with arrears to the petitioner.

For Petitioner : Mr.A.Rajaram
For Respondents : Mrs.S.Srimathy,
Special Government Pleader

ORDER

The prayer is to count the temporary services rendered by the petitioner from 25.09.1985 to 21.05.2013 along with permanent service from 22.05.2013 to 31.05.2017 and pay all consequential benefits and pension with arrears to the petitioner.

2. Mrs.S.Srimathy, learned Special Government Pleader, takes notice on behalf of the respondents.



3. By consent, the Writ Petition is taken up for final disposal at the stage of admission itself.

4. The case of the petitioner is that he was appointed as a Plot Watcher on 25.09.1985 in the fourth respondent office and he was promoted as Forest Watcher on 22.05.2013, i.e., after 28 years. He retired from service on 31.05.2017 on attaining the age of superannuation. Even though he had completed 32 years of total service, he was not eligible to receive pension because of the abolition of the Pension Act from 01.04.2003. In this regard, the petitioner made a representation dated 14.10.2015 to the respondents. However, no action is taken so far. Therefore, the petitioner is before this Court with the present Writ Petition.

5. In support of the contention, the learned counsel for the petitioner would also rely on the Government Order passed in G.O. (3D)No.5, Environment and Forests (FR-2) Department, dated 12.02.2016.

6. Considering the facts and circumstances of the case, without going into the merits of the case, a direction is given to the respondents to consider and dispose of the representation made by the petitioner dated 14.10.2015, on merits and in accordance with law and also in the light of G.O.(3D)No.5, Environment and Forests (FR-2) Department, dated 12.02.2016, within a period of four weeks from the date of receipt of a copy of this order, The petitioner is also directed to send a copy of the representation dated 14.10.2015 along with a copy of this order to the respondents forthwith.

7. The Writ Petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar

To

1.The Secretary to Environment and
Forest Department,
Government of Tamil Nadu,
Fort St. George,
Chennai-600 009.

2.The Principal Chief Conservator of Forest,
O/o. The Principal Chief Conservator of Forest,
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3.The Chief Conservator of Forest,
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4.The District Forest Officer,
The District Rural Development Agency,
Virudhunagar Division,
Virudhunagar District.

+1cc to M/S.A.Rajaram, Advocate SR.No. 71545

+1cc to Special Government Pleader, SR.No. 71699

Order made in
W.P. (MD) No.14527 of 2018
Dated: 06.07.2018

sml

JM/PN/SAR 3/26.07.2018/3P/7C