



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.09.2018

CORAM:

THE HONOURABLE MR. JUSTICE S. VAIDYANATHAN

W.P. (MD) No. 20438 of 2018

WEB COPY

R. Subramaniya Pandiyan

... Petitioner

Vs.

1. The Government of Tamil Nadu,
Rep. by Secretary to Government,
Forest and Environment Department,
Fort St. George, Chennai-9.

2. The Principal Chief Conservator of Forests,
Panagal Buildings, Saidapet,
Chennai-15.

3. The District Forest Officer,
District Forest Office,
Tirunelveli.

4. The Principal Accountant General of Tamil Nadu,
Teynampet, Chennai-18.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents 1 to 3 to count the half of the service rendered by the petitioner as social forestry worker from 28.07.1987 to 06.08.2009 along with the regular service as Plot Watcher from 07.08.2009 to 30.04.2016 as a qualifying service and send the revised pension proposal to the 4th respondent and to further direct the 4th respondent to sanction the eligible pension and all other terminal benefits to the petitioner.

For Petitioner	: Mr. G. Chandrasekar
For R-1 to R-3	: Mr. S. Dhayalan, Government Advocate.
For R-4	: Mr. P. Gunasekaran

O R D E R

This Writ Petition has been filed to direct the respondents 1 to 3 to count the half of the service rendered by the petitioner as social forestry worker from 28.07.1987 to 06.08.2009 along with the regular service as Plot Watcher from 07.08.2009 to 30.04.2016 as a qualifying service and send the revised pension proposal to the 4th respondent and to further direct the 4th respondent to sanction the eligible pension and all other terminal benefits to the petitioner.



2.Mr.S.Dhayalan, learned Government Advocate takes notice for respondents 1 to 3 and Mr.P.Gunasekaran, learned counsel takes notice for the fourth respondent. By consent, the main Writ Petition is taken up for hearing for final disposal at the stage of admission itself.

3.The learned counsel for the petitioner submitted that the petitioner was retired from service on 30.04.2016 as plot watcher. Since he was not granted any pensionary benefits under the Tamil Nadu Pension Rules, 1978 on the ground that the petitioner does not have ten years of pensionable service, he made several written and oral representation to the respondents. Since the same was not considered, the petitioner has filed the present writ petition with the above said prayer.

4.The learned Government Advocate appearing for the respondents 1 to 3 submits that the revised pension proposal has been sent to the fourth respondent and it is got to be reached to the Government.

5.In view above submission, this writ petition is disposed of by giving the following directions:

"the fourth respondent is directed to verify the service particulars of the writ petitioner and count 50% of the service rendered by him on temporary basis and consequently refix his pension, within a period of one month from the date of receipt of the proposal, if there are no legal impediment"

No costs.

Sd/-

Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar(CS-III)

To

1. The Secretary to Government,
Forest and Environment Department,
Fort St. George, Chennai-9.
2. The Principal Chief Conservator of Forests,
Panagal Buildings, Saidapet,
Chennai-15.
3. The District Forest Officer,
District Forest Office,
Tirunelveli.



4. The Principal Accountant General of Tamil Nadu,
Teynampet, Chennai-18.

+1cc to Spl.Government Pleader Sr.No.87171

+1cc to Mr.G.Chandrasekar, Advocate Sr.No.87095

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VB/PM/SAR3/27.11.2018/3P/7C

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26.09.2018