



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.09.2018

C O R A M

WEB COPY

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.(MD)No.19604 of 2018

K.Ramachandran

... Petitioner

Vs.

1.The Government of Tamil Nadu,
Represented by its
Principal Secretary to Government,
Forest & Environment Department,
Fort St.George, Chennai.

2.The Principal Chief Conservator of Forest
Panagal Building, Saidapet, Chennai.

3.The Divisional Forest Officer,
Social Forest Division,
Kanyakumari Division,
Nagercoil, Kanyakumari District.

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

... Respondents

PRAYER: Writ Petition filed under Article 226 of the constitution of India, to issue a Writ of Mandamus, to direct the respondents to fix and disburse pension to the petitioner by counting half of the service rendered by him from 01.07.1986 to 23.05.2015 as plot watcher on a daily wage basis along with regular service rendered from 26.03.2015 till 31.04.2015 with all consequential benefits.

For Petitioner: Mr.V.M.Balamohan Thambi

For R1 to R3 : Mr.S.Dhayalan, Govt Advocate

For R4 : Mr.P.Gunasekaran

O R D E R

The Petitioner has come forward with this Writ Petition seeking to issue a Writ of Mandamus, to direct the respondents to fix and disburse pension to the petitioner by counting half of the service rendered by him from 01.07.1986 to 23.05.2015 as plot watcher on a daily wage basis along with regular service rendered from 26.03.2015 till 31.04.2015 with all consequential benefits.

<https://hcservices.ecourts.gov.in/hcservices/>

2.When the matter is taken up for hearing today, the learned



counsel appearing for the Petitioner has produced a copy of the judgment in W.A(MD)Nos.465 of 2013 and batch, dated 30.6.2017, wherein this Court while dealing with the similar issue, has passed the following order:

''39.In the result, the first set of Writ Appeals filed by the Management are dismissed, the second set of Writ Appeals filed by the workmen are partly allowed; and the third and last set of Writ Appeals filed are allowed, with a direction to the Management to settle the entire terminal benefits to the workmen in twelve equated monthly installments together with the simple interest at 6% per annum on the expiry of three months from the date of retirement of the concerned workman, in default, to pay interest at the rate of 18% per annum from the date of retirement till the date of payment. The first monthly installment shall commence from November 2017 and the terminal benefits shall be paid on or before 10th of the said month and the remaining installments shall be paid on or before 10th day of every succeeding month. No costs. Consequently, connected Miscellaneous Petitions are closed.''

3.On a perusal of the judgement referred to by the learned counsel for the Petitioner, it is apparent that the matter is squarely applicable to the facts of the present case. Therefore, this Writ Petition is disposed of in terms of the above judgement as follows:-

''There shall be a direction to the Management to settle the entire terminal benefits to the workmen in twelve equated monthly installments together with the simple interest at 6% per annum on the expiry of three months from the date of retirement of the concerned workman, in default, to pay interest at the rate of 18% per annum from the date of retirement till the date of payment. The first monthly installment shall commence from November 2018 and the terminal benefits shall be paid on or before 3rd of the said month and the remaining installments shall be paid on or before 10th day of every succeeding month.''

No costs.

Sd/-

Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar (CS-I)

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To

1. The Principal Secretary to Government,
Forest & Environment Department,
Fort St. George, Chennai.
2. The Principal Chief Conservator of Forest
Panagal Building, Saidapet, Chennai.
3. The Divisional Forest Officer,
Social Forest Division,
Kanyakumari Division,
Nagercoil, Kanyakumari District.
4. The Principal Accountant General of Tamil Nadu,
Office of Accountant General,
Teynampet, Chennai.

+ 1 CC TO Mr.V.M.Balamohan Thambi , ADVOCATE IN SR No. 83492

+ 1 CC TO Mr.P.Gunasekaran , ADVOCATE IN SR No.83855.

+1cc to Special Government Pleader in sr.no.84070.

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