



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.09.2018

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CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P. (MD) No.19991 of 2018

S.Seetharaman

... Petitioner

Vs.

1.The Government of Tamil Nadu,
Rep. by its Principal 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 Divisional Forest Officer,
Thoothukudi.

4.The Forest Ranger,
Srivaikundam Range,
Srivaikundam, Thoothukudi District.

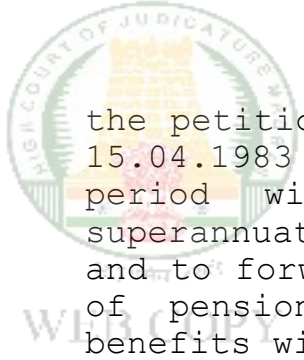
5.The District Forest Officer,
District Forest Office,
Kanyakumari District
at Nagercoil.

6.The Forest Range Officer,
Velimalai Range,
Manalickarai,
Ponmanai Post,
Kanyakumari District.

7.The Principal Accountant General of Tamil Nadu,
Office of the Accountant General,
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, 2, 5 and 6 to count half of the service rendered by



the petitioner in the post of Plot Watcher as daily wage basis from 15.04.1983 to 06.08.2009 as a qualifying service towards regularized period with effect from 07.08.2009 to till the date of superannuation on 31.05.2018 as Forest Watcher (Supernumerary Post) and to forward the pension proposals to the 7th respondent for grant of pension to the petitioner with all consequential monetary benefits with arrears.

For Petitioner : Mr.S.Sivasubramanian

For R-1 to R-6 : Mr.S.Dhayalan,
Government Advocate.

For R-7 : Mr.P.Gunasekaran

O R D E R

This Writ Petition has been filed to direct the respondents 1, 2, 5 and 6 to count half of the service rendered by the petitioner in the post of Plot Watcher as daily wage basis from 15.04.1983 to 06.08.2009 as a qualifying service towards regularized period with effect from 07.08.2009 to till the date of superannuation on 31.05.2018 as Forest Watcher (Supernumerary Post) and to forward the pension proposals to the 7th respondent for grant of pension to the petitioner with all consequential monetary benefits with arrears.

2.Mr.S.Dhayalan, learned Government Advocate takes notice for respondents 1 to 6 and Mr.P.Gunasekaran, learned counsel takes notice for the seventh 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 appearing for the petitioner would submit that the issue involved in this case is covered by the decision of the Division Bench of this Court made in W.A.(MD) No.51 of 2018 and etc., batch.

4.The learned Government Advocate appearing for R1 to R6 would also affirm that the issue involved in this case is squarely covered by above said decision.

4.In view of the decision made by Division Bench of this Court in similar issue in W.A.(MD)No.51 of 2018 and etc., batch, the present Writ Petition is also disposed of by giving the following directions:

"the respondents are 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 four



months from the date of receipt of a copy of this order."

No costs.

Sd/-

Assistant Registrar(CO)

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/True Copy/

Sub Assistant Registrar(CS-I)

To

- 1.The Principal 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 Divisional Forest Officer,
Thoothukudi.
- 4.The Forest Ranger,
Srivaikundam Range,
Srivaikundam, Thoothukudi District.
- 5.The District Forest Officer,
District Forest Office,
Kanyakumari District
at Nagercoil.
- 6.The Forest Range Officer,
Velimalai Range,
Manalikai,
Ponmanai Post,
Kanyakumari District.
- 7.The Principal Accountant General of Tamil Nadu,
Office of the Accountant General
Teynampet, Chennai-18.

+1cc to M/S.S.Sivasubramanian , Advocate in SR.No.85027

+1cc to Mr.P.Gunasekaran Advocate in SR.No.85583

+1cc to Special Government Pleader, Advocate in SR.No.85881

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