

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.02.2019

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.2955 of 2019

N.Parthasarathy

... Petitioner

Vs

- 1.The State of Tamil Nadu,
Rep., by its Secretary to Government,
Environment and Forest Department,
Fort.St.George,
Chennai - 9.
- 2.The Principal Chief Conservator of Forest
and Head of Forest Force,
Panagal Building,
Saidapet,
Chennai - 15.
- 3.The Forestry Extension Officer,
Forestry Extension centre,
Chelgalpat,
Kancheepuram District.
- 4.The Principal Accountant General of
Tamil Nadu, Teynampet,
Chennai - 18.

.... Respondents

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 09.08.2017 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 time frame.

For Petitioner : Ms.K.Jenitha

For Respondents : Ms.M.Lalitha, Government Advocate

O R D E R

According to the petitioner, he was appointed as Plot Watcher on 01.07.1982 and he was brought under regular time scale of pay with effect from 07.08.2009 and he retired from service on 31.08.2012. Subsequently, the 1st respondent accepted

the proposal of the 2nd respondent, to count 50% of the service rendered by him on daily wages along with regular service as qualifying service and granted pension, but not granted other retiral benefits, such as, DCRG, commuted value of pension, etc. due to the petitioner. However, the 1st respondent, vide communication in letter No.22825/FR-2/2016-2, dated 02.02.2017, requested the 4th respondent to sanction pension and other retirement benefits based on net qualifying service, in the case of persons, whose 50% service rendered on daily wages, has been ordered to be counted along with regular service, for sanction of pension. Hence, the petitioner has submitted a representation dated 09.08.2017 in this regard. Finding no response on the said representation, he has come up with the present writ petition.

2. Heard Ms.K.Jenitha, learned counsel for the petitioner and Ms.M.Lalitha, learned Government Advocate taking notice for the respondents.

3. Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, the respondents are directed to consider the representation of the petitioner dated 09.08.2017, on merits and in accordance with law, and pass appropriate orders, after affording an opportunity of personal hearing to the petitioner, within a period of six weeks from the date of receipt of a copy of this order.

4. This writ petition stands disposed of in the above terms. No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

vsi2
To

1.The Secretary to Government,
Environment and Forest Department,
Fort.St.George,
Chennai - 9.

2.The Principal Chief Conservator of Forest
and Head of Forest Force,
Panagal Building,
Saidapet,
Chennai - 15.

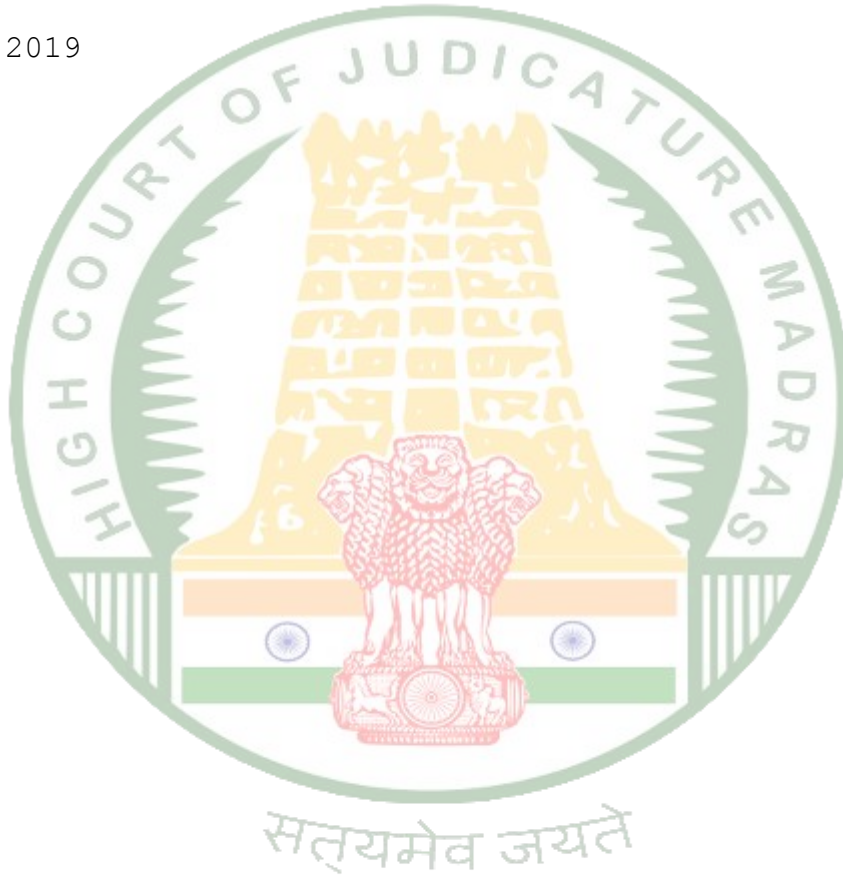
3.The Forestry Extension Officer,
Forestry Extension centre,
Chelgalpat,
Kancheepuram District.

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

+1 cc to M/s.K.Jenitha, Advocate SR.No.8810

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VBA (CO)
CSL/11.03.2019



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