

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :24.09.2019

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THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.19662 of 2019

1.S.Krishnan

2.S.Unnamalai

..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,
Panagal Building,
Saidapet,
Chennai - 15.

3.The District Forest Officer,
Villupuram Forest Division,
Villupuram.

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

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the 3rd respondent to send revised pension proposal to the 4th respondent to sanction arrear pension as per the proceedings in C.No.Pen1/45000/2018 of the 2nd respondent with all consequential benefits.

For Petitioners : Ms.K.Jenitha
For Respondents : Mr.M.Elumalai

Government Advocate

O R D E R

The prayer sought for in this Writ Petition is to direct the 3rd respondent to send revised pension proposal to the 4th respondent to sanction arrear pension as per the proceedings in C.No.Pen1/45000/2018 of the 2nd respondent with all consequential benefits.

2. The case of the petitioners is that they joined in the service of the respondent department as Social Forestry Workers on 01.08.1985 and 24.02.1983 respectively. Thereafter, they were promoted as Forest Watchers on 04.06.2013 and 22.05.2008 respectively on par with their juniors after obtaining the orders in the Writ Petition they filed. The petitioners have retired from the service on 31.07.2016 and 31.07.2017 respectively and they are receiving retirement benefits as on the date of the order.

3. It is their further case that the 2nd respondent, vide proceedings in C.No.:Pen1/45000/2018 dated 15.02.2019, clarified that for the retired persons, the pensionary benefits shall be admitted from the day following the date of retirement of the individuals, if already retired before the issue of the order. Thereafter, on 07.03.2019 the petitioners made representation to the 3rd respondent to send revised pension proposal to the 4th respondent to sanction arrear pension as per the proceedings in C.No.:Pen1/45000/2018 dated 15.02.2019. However, till date the said representation was not considered. Hence the Writ Petition has been filed.

4. The learned counsel for the petitioners would submit that it would be suffice to issue direction to the 3rd respondent to dispose of the representation in accordance with law.

5. Considering the facts and circumstances of the case and the limited request made by the learned counsel for the petitioners, I am inclined to issue direction to the 3rd respondent to dispose of the representation dated 07.03.2019, if not disposed already, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

6. With the above direction, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

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To

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,
Panagal Building,
Saidapet,
Chennai - 15.

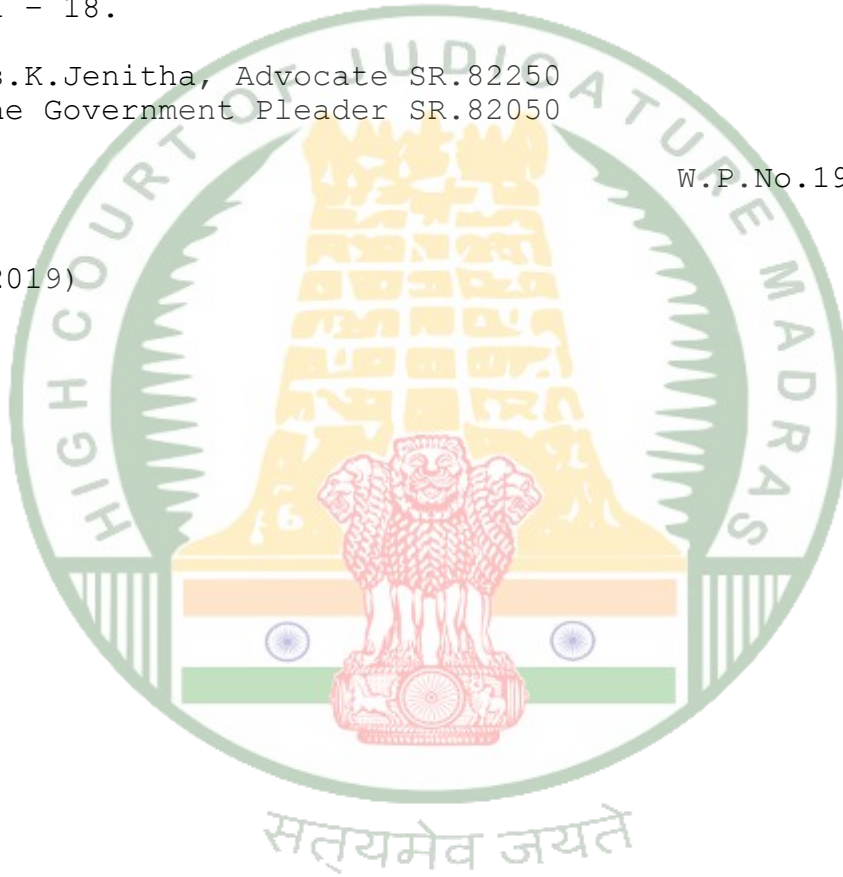
3.The District Forest Officer,
Villupuram Forest Division,
Villupuram.

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

+2cc to Ms.K.Jenitha, Advocate SR.82250
+1cc to the Government Pleader SR.82050

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RR(CO)
CB(08/11/2019)



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