

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.10.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.Nos.29031 & 29032 of 2019

W.P.No.29031 of 2019

B.Munusamy

... Petitioner

Vs.

1.Government of Tamil Nadu,
Represented by its Secretary,
Forest and Environment Department,
Secretariat,
Chennai - 600 009

2.The Principal Chief Conservator of Forests,
Panagal Maaligai,
Saidapet, Chennai - 600 015

3.The District Forest Officer,
Harur District

... Respondents

Prayer:-

Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to calculate and pay pension to the petitioner from the date of retirement on 31.03.2016 in the cadre of Forest Watcher instead of issuance of Government Letter No.3291/FR 2(ii) / 2017-3 dated 16.08.2017 and by considering the representation dated 30.04.2018.

W.P.No.29032 of 2019

N.S.S.Mani

... Petitioner

Vs.

1.Government of Tamil Nadu,
Represented by its Secretary,
Forest and Environment Department,
Secretariat,
Chennai - 600 009

2.The Principal Chief Conservator of Forests,
Panagal Maaligai,
Saidapet, Chennai - 600 015

3.The District Forest Officer,
Villupuram

... Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to calculate and pay pension to the petitioner from the date of retirement on 31.03.2016 in the cadre of Forest Watcher instead of issuance of Government Letter in No.21399/FR 2(11) / 2016-2, Forest and Environment Department dated 10.04.2017 and by considering the representation dated 30.04.2018.

For Petitioner : Mr.Chellapandian,
in both W.P.'s Senior Counsel
for Mr.S.Mani

For Respondents : Mr.M.Elumalai (GA)
in both W.P.'s

COMMON O R D E R

By consent, these writ petitions are taken up for final disposal at the admission stage itself.

2.The learned counsel appearing for the petitioners submits that the petitioners joined as Plot Watcher on daily wage basis in the Forest Department and they were brought into regular time scale of pay as Forest Watcher after a period of 24 years of services on daily wage basis and were promoted as Forest Guard. Thereafter they retired from service on 31.05.2015 and 31.03.2016 respectively and the Government granted pension from 05.02.2018 and 10.02.2017. According to the petitioners pensionary benefits have to be paid from the date of retirement. i.e. 31.05.2015 and 31.03.2016 respectively. Therefore, they made representations on 30.04.2018, which have not been considered till date. Hence, the petitioners have filed the present petitions.

3.Heard both sides.

4.The learned counsel for the petitioners submitted that it would suffice, if a direction is issued to the third respondent to consider the representations of the petitioners dated 30.04.2018 and pass orders, within a stipulated time fixed by this Court.

5.Though the petitioners have sought for a larger relief, this Court without going into the merits of the case, directs the third respondent to consider the petitioners' representations dated 30.04.2018 and pass orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of copy of this order.

6.With the above direction, these writ petitions stand disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1.The Secretary,
Government of Tamil Nadu,
Forest and Environment Department,
Secretariat,
Chennai - 600 009

2.The Principal Chief Conservator of Forests,
Panagal Maaligai,
Saidapet, Chennai - 600 015

3.The District Forest Officer,
Harur District

4.The District Forest Officer,
Villupuram

+2cc to Mr.S.Mani, Advocate SR.84859 & 84858

+1cc to the Special Government Pleader(Forest) SR.85283

W.P.Nos.29031 & 29032 of 2019

MP(CO)
CB(12/11/2019)

सत्यमेव जयते

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