

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :30.09.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.NO.28612 OF 2019

C.Samiayya

.. Petitioner

Vs.

1. The Secretary,
Government of Tamil Nadu,
Forest and Environment Department,
Fort St. George,
Chennai - 600 039.

2. The Principal Chief Conservator of Forest,
Office at Panagal Maligai,
Saidapet, Chennai - 600 015.

3. The District Forest Officer,
Tanjore Division.

... Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to count the Regular Service of the petitioner with effect from 24.01.1995 instead of 07.08.2009, consequently direct the respondents to sanction the revised pension, so as to enable the petitioner get enhanced pension.

For Petitioner : Mr.Chellapandian
Senior Counsel for
Mr.S.Mani

For Respondents: Mr.M.Elumalai
Government Advocate

O R D E R

The Writ Petition is filed for a direction to the respondents to count the Regular Service of the petitioner with effect from 24.01.1995 instead of 07.08.2009 and to direct the respondents to sanction the revised pension for the petitioner to get enhanced pension.

2.By consent of both sides, this Writ Petition is taken up for final disposal at the admission stage itself.

3.Heard the learned senior counsel for the petitioner as well as the learned Government Advocate appearing for the respondents and perused the entire materials on record.

4.The case of the petitioner is that the petitioner joined as Plot Watcher on daily wage basis in the Forest Department on 07.11.1984 and thereafter his services was regularised on 07.08.2009. After rendering so many years of service, the petitioner retired from service on 31.08.2016. Though the petitioner retired from service in the year 2016, however, the petitioner came to know that his juniors were regularised in the year 24.01.1995, whereas the petitioner was regularised only in the year 2009. For availing monetary benefits, the made a representation on 13.08.2018 to the respondents to count the regular service of the petitioner with effect from 24.01.1995 instead of 07.08.2009 and to revise his pension. However, till date the representation dated 13.08.2018 sent by the petitioner was not considered by the respondents, for which, the petitioner has come out with the present Writ Petition.

5.The learned counsel for the petitioner would submit that it would be suffice to issue direction to the respondents 1 and 2 to consider the representation dated 13.08.2018 sent by the petitioner and pass appropriate orders.

6.Considering the facts and circumstances of the case and the limited request made by the learned counsel for the petitioner, I am inclined to issue direction to the respondents 1 and 2 to consider the representation dated 13.08.2018 sent by the petitioner and pass orders on the same on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

krk

To

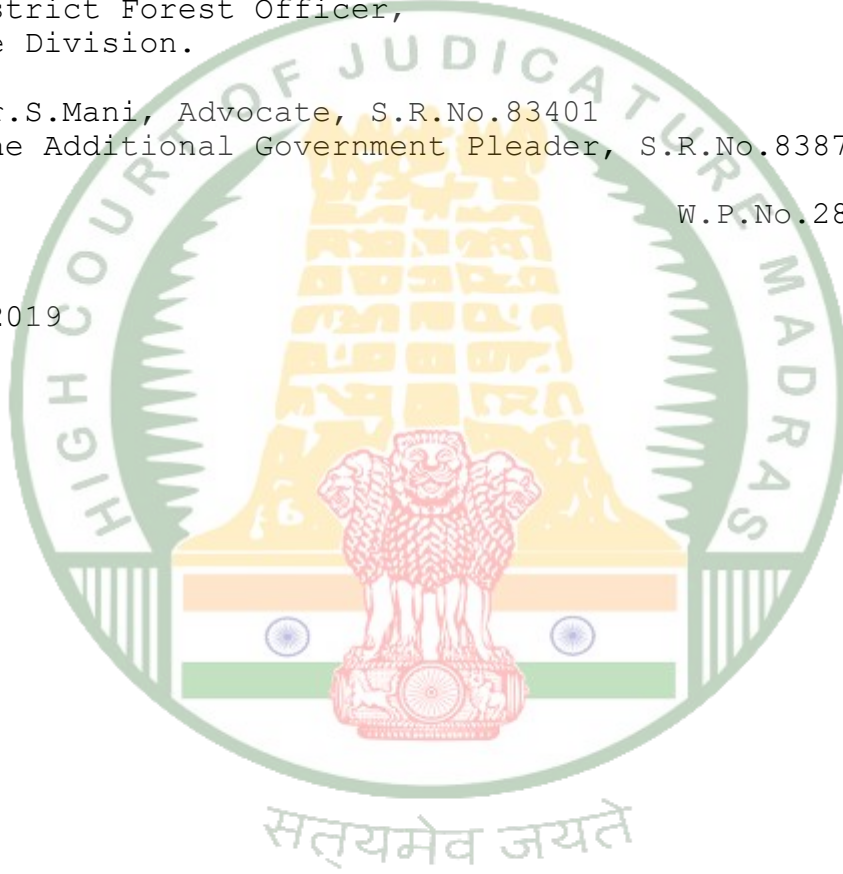
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+1cc to Mr.S.Mani, Advocate, S.R.No.83401

+1cc to the Additional Government Pleader, S.R.No.83874

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MP (CO)
CS/03/12/2019



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