

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :30.09.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.28643 of 2019

D.Palani

.. Petitioners

Vs.

1.The Principal Chief Conservator of Forest,
Having office at Panagal Maaligai,
Saidapet, Chennai - 600 015.

2.The District Forest Officer,
Tiruvannamalai.

3.The Accountant General of Tamil Nadu,
Office at DMS Compound,
Teynampet, Chennai - 600 018.

.. 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 half of the service rendered by the Petitioner as Plot Watcher on daily wage basis from 01.06.1981 till 23.01.1995 along with the regular service rendered by him as Forest Watcher from 24.01.1995 to till the date of his retirement namely 31.05.2019 as qualifying service, send the revised proposal to the 3rd respondent, grant pension to the Petitioner with all consequential monetary benefits.

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

For R1 : Mr.M.Elumalai
Government Advocate

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O R D E R

The prayer sought for in the Writ Petition is to direct the respondents to count half of the service rendered by the petitioner as Plot Watcher on daily wage basis from 01.06.1981 till 23.01.1995 along with the regular service rendered by him as Forest Watcher from 24.01.1995 to till the date of his

retirement namely 31.05.2019 as qualifying service, send the revised proposal to the 3rd respondent and to grant pension to the Petitioner with all consequential monetary benefits.

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

3.The case of the petitioner is that he was appointed as Plot Watcher in the Forest Department on daily wage basis on 01.06.1981. Subsequently, he was brought into regular time scale of pay as Forest Watcher on 24.01.1995 and his services was also regularized with effect from that date onwards. Thereafter, he retired from service on 31.05.2019, after attaining age of superannuation. Even after his retirement also he could not get the pensionary benefits. Hence, the petitioner made a representation on 03.06.2019 to the respondents. However, till date the representation was not considered by the respondents. For which the petitioner has come out with the present Writ Petition.

4.The learned counsel for the petitioner would submit that it would be suffice to issue direction to the respondents to consider the representation of the petitioner and pass orders on the same.

5.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 to consider the representation of the petitioner and pass orders on merits and in accordance with law, within a period of twelve 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

//True Copy//

Sub Assistant Registrar

krk

To

1.The Principal Chief Conservator of Forest,
Having office at Panagal Maaligai,
Saidapet, Chennai - 600 015.

2.The District Forest Officer,
Tiruvannamalai.

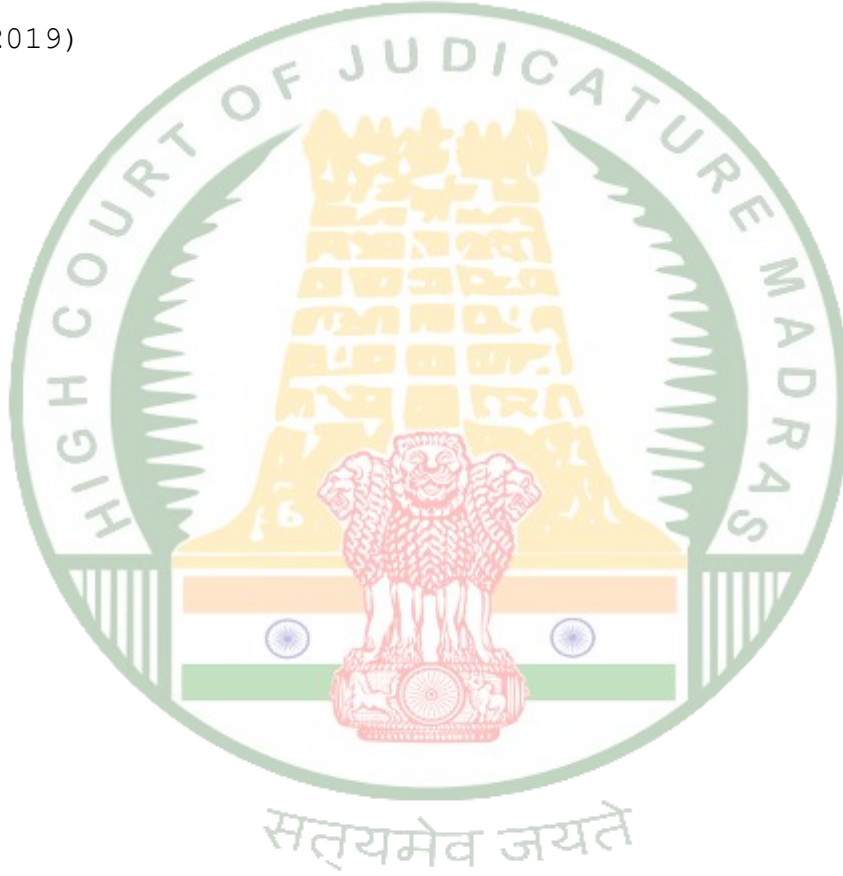
3.The Accountant General of Tamil Nadu,
Office at DMS Compound,
Teynampet, Chennai - 600 018.

+1cc to Mr.S.Mani, Advocate, Sr.83402

+1cc to the Government Pleader, SR.83872

W.P.No.28643 of 2019

MR (CO)
CB(28/11/2019)



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