

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.10.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.29026 of 2019

A.Manoharan

... Petitioner

Vs.

- 1.The Government of Tamil Nadu,
Rep. by its Secretary,
Environment and Forest Department,
Secretariat, Chennai - 600 009
- 2.The Principal Chief Conservator of Forest,
Having Office at Panagal Maaligai,
Saidapet, Chennai - 600 015
- 3.The District Forest Officer,
Cuddalore,
Nilgiris District.
- 4.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 1 to 3 to count half of the service rendered by the petitioner as Plot Watcher on daily wage basis from 01.10.1978 till 04.01.2000 along with the regular service rendered by him as Forest Watcher (and Forest Guard from 04.01.2000 to till the date of his retirement namely 31.08.2012 as qualifying service, send the revised proposal to the fourth respondent, grant pension to the Petitioner with all consequential monetary benefits as per Rule 11 (4) of the Tamil Nadu Pension Rule 1978.

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

For Respondents : Mrs.A.Sri Jayanthi,
Additional Government Pleader

O R D E R

By consent, this writ petition is taken up for final disposal at the admission stage itself.

2.The learned counsel for the petitioner submits that the petitioner joined as Plot Watcher on daily wage basis in the Forest Department on 01.10.1978 and his services were regularised on 04.01.2000 and he was promoted as Forest Guard in the year 2007 and thereafter he retired from service in the year 2012. After retirement he made representation dated 23.06.2017 to count half of the daily wage service from 01.01.1978 to 03.01.2000 along with regular service for the purpose of counting pension. He further submits that as per the Tamil Nadu Pension Rule 11 (2), the petitioner is entitled to get the half of the daily wages period along with regular service. But till date the same has been not considered. Hence, the petitioner has filed the present petition.

3.Heard both sides.

4.The learned counsel for the petitioner submitted that it would suffice, if a direction is issued to the respondents to consider the representation of the petitioner dated 23.06.2017 and pass orders, within a stipulated time fixed by this Court.

5.Though the petitioner has sought for a larger relief, this Court without going into the merits of the case, directs the respondents 1 to 3 to consider the petitioner's representation dated 23.06.2017 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, this writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

To

- 1.The Secretary,
Government of Tamil Nadu,
Environment and Forest Department,
Secretariat, Chennai - 600 009.
- 2.The Principal Chief Conservator of Forest,
Having Office at Panagal Maaligai,
Saidapet, Chennai - 600 015.
- 3.The District Forest Officer,
Cuddalore,
Nilgiris District.
- 4.The Accountant General of Tamil Nadu,
Office at DMS Compound,
Teynampet,
Chennai - 600 018.

+1cc to Mr.S.Mani, Advocate Sr.84857

+1cc to the Special Government (Forest), Sr.85284

W.P.No.29026 of 2019

srg 04/11/2019

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