

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.01.2019

CORAM

THE HON'BLE DR.JUSTICE S.VIMALA

W.P.No.34534 of 2018

P.Velladurai

... Petitioner

Vs

1.The Government of Tamil Nadu
rep.by its Secretary to Government
Forest and Environment Department
Fort St.George, Chennai 600 009.

2.The Principal Chief Conservator of Forests
having Office at Panagal Building, Saidapet
Chennai 600 015.

3.The District Forest Officer,
Tirunelveli.

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 seeking a writ of Mandamus directing the respondents to count half of service rendered by the petitioner as Plot Watcher on daily wage basis from 1-7-1978 to 13-9-1991 along with the regular service rendered by him as forest watcher and Forest Guard from 14-9-1991 to till the date of his retirement namely 30-6-2010 as qualifying service and send the revised proposal to the 4th respondent to grant pension to the petitioner with all consequentilal monetary benefits.

For Petitioners : M/s.S.Mani

For Respondents : Mr.K.Rajendra Prasad

Additional Government Pleader

O R D E R

This writ petition has been filed seeking direction to the respondents to consider the representation of the petitioner dated 10.10.2017, requesting to count half of the service rendered by him on daily wage basis for the period from 01.07.1978 to 13.09.1991 to get enhanced pension.

2. Mr.K.Rajendra Prasad, learned Additional Government Pleader takes notice on behalf of the respondents and points out that the petitioner's services were regularised on 14.09.1991; he retired from service as Forest Guard on 30.06.2010 and the

representation is dated 10.10.2017, ie., after a period of seven years and hence the same cannot be considered now as it is barred by limitation. Learned Additional Government Pleader further submits that if this kind of belated representations are entertained, then it would open the pandora's box and the respondents would not be in a position to cope up with the mounting petitions, seeking similar relief and therefore, this writ petition shall not be entertained.

4. In the above circumstances, this Court is of the view that it is always open to the respondents to consider the claim in any perspective and to pass orders in accordance with law. This Court do not propose to pass any final orders on the issue on merits and the decision making is left to the respondents only. Accordingly, the respondents are directed to consider the representation of the petitioner dated 10.10.2017, on merits and in accordance with law, and pass appropriate orders thereon, within a period of four weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

kst
To

- 1.The Secretary to Government
Forest and Environment Department
Fort St.George, Chennai 600 009.
 - 2.The Principal Chief Conservator of Forests
having Office at Panagal Building, Saidapet, Chennai 600 015.
 - 3.The District Forest Officer, Tirunelveli.
 - 4.The Accountant General of Tamil Nadu
Office at DMS Compound, Teynampet, Chennai 600 018.
- +1 to M/s.S.Mani, Advocate Sr.No.1225
+1 cc to the Special Government Pleader, Sr.No.1702

W.P.No.34534 of 2018

CSL/07.02.2019