



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.08.2019

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P[MD]No.12725 of 2014

and

M.P.[MD]No.1 of 2014

Ramakrishnan

... Petitioner

Vs.

1.The Government of Tamil Nadu,
Represented by its Secretary,
Forest Department,
Secretariat,
Chennai.

2.The District Forest Officer,
Trichy Forest Division,
District Court Campus,
Tiruchirappalli.

3.The Forest Range Officer,
Thuraiyur Range,
Thuraiyur.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records of the second respondent proceedings in Na.Ka.No.1201/14/Pa2 dated 11.03.2014 and quash the same as illegal and direct the respondent to sanction all pension benefits to the petitioner after computing 31 years of service.

For Petitioner : Mr.S.Muthukrishnan

For Respondents : Mr.D.Muruganantham
Additional Government Pleader

ORDER

The relief sought for in the present writ petition is to quash the order of rejection dated 11.03.2014 and sanction all pensionary benefits by computing the total services rendered by the writ petitioner including his service as consolidated salary employee.



2.Undoubtedly, a part time employee is not entitled to claim 50% of the counting of the services as qualifying service. As per Rule 11(4) of the Tamil Nadu Pension Rules, 1978, 50% of the temporary services can be reckoned for the purpose of calculating the pensionary benefits. However, the employees concerned must fulfil the conditions. Thus, the case of the writ petitioner also can be considered strictly in accordance with Rule 11(4) and if he is otherwise eligible, his claim for counting 50% of the services can be considered.

3.The writ petition stands disposed of, accordingly. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To

1.The Secretary,
Government of Tamil Nadu,
Forest Department,
Secretariat,
Chennai.

2.The District Forest Officer,
Trichy Forest Division,
District Court Campus,
Tiruchirappalli.

3.The Forest Range Officer,
Thuraiyur Range,
Thuraiyur.

+1 CC to M/s.S.MUTHU KRISHNAN, Advocate (SR-80897[F] dated
09/08/2019)

W.P[MD]No.12725 of 2014
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MR

JMN(27.08.2019) 2P : 5C