



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.11.2020

CORAM:

**THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY**

W.P.[MD]No.16829 of 2020

WEB COPY

V.Valaiseenimuthu

... Petitioner

Vs.

- 1.The State of Tamil Nadu,  
Rep., by its Secretary to Government,  
Environment and Forest Department,  
Fort St.George,  
Chennai-9.
- 2.The Principal Chief Conservator of Forest,  
Panagal Building,  
Saidapet,  
Chennai-15.
- 3.The District Forest Officer,  
Ramanathapuram Forest Division,  
Ramanathapuram District.
- 4.The Principal Accountant General of Tamil Nadu,  
Teynampet,  
Chennai-18.

... Respondents

PRAYER : This Writ Petition is filed under Article 226 of Constitution of India for issuance of Writ of Mandamus, to direct the respondents 1 to 3 to consider the petitioner's representation dated 16.10.2020 with regard to count the petitioner's service in full as qualifying service by absorbing the Forest Watcher service on completion of ten years notionally from 01.04.1996 to till the date of retirement on 31.03.2018 similar to Junior in the light of G.O.Ms.No.22 P&AR Department dated 28.02.2006 and the order made by the District Educational Officer, Paramakudi in Na.Ka.No.2648/A1/2008 dated 30.04.2012 along with the half of contingencies service paid from 01.04.1986 to 31.03.1996 for the purpose of old pension and to send pension proposal to the fourth respondent to authorise the same with all consequential arrear benefits with interest as per the pension rule within time frame as fixed by this Court.

|                |                                          |
|----------------|------------------------------------------|
| For Petitioner | : Mr.I.Kanna Patel                       |
| For R-1 to R-3 | : Mr.B.Bhagavathy<br>Government Advocate |
| For R-4        | : Mr.P.Gunasekaran<br>Standing Counsel   |



**O R D E R**

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

2.This writ petition has been filed to direct the respondents 1 to 3 to consider the petitioner's representation dated 16.10.2020 with regard to count the petitioner's service in full as qualifying service by absorbing the Forest Watcher service on completion of ten years notionally from 01.04.1996 to till the date of retirement on 31.03.2018 similar to Junior in the light of G.O.Ms.No.22, P&AR Department, dated 28.02.2006 and other reliefs.

3.The main contention of the petitioner is that the respondents have to count half of the petitioner's service rendered on daily wages along with notional 10(a)(i) regular service for calculation of pension. In this regard, he has given a representation dated 16.10.2020. However, no action has been taken by the respondents till date. As per the law laid down by the Hon'ble Apex Court, the petitioner is entitled to the relief sought for in the representation. Hence, without any other option, the petitioner approaches this Court by way of this writ petition.

4.The learned Government Advocate appearing for the respondents 1 to 3 would submit that the petitioner's grievance will be addressed on merits and in accordance with law.

5.In view of the submissions made by the learned counsel appearing on either side, this Court directs the first respondent to dispose of the petitioner's representations dated 16.10.2020 within a period of eight weeks from the date of receipt of a copy of this order on merits and in accordance with law.

6.With the above directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (RTI)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To:-

- 1.The Secretary to Government,  
State of Tamil Nadu,  
Environment and Forest Department,  
Fort St.George,  
Chennai-9.
  - 2.The Principal Chief Conservator of Forest,  
Panagal Building,  
Saidapet,  
Chennai-15.
  - 3.The District Forest Officer,  
Ramanathapuram Forest Division,  
Ramanathapuram District.
- +1 CC to Spl GP ( SR-23340[F] dated 30/11/2020 )

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VB (08.12.2020) 3P 5C