



WEB COPY

For Appellants : Mr.R.Neelakandan
State Government Counsel

For Respondent : Mr.S.Mani

JUDGMENT

(delivered by PUSHPA SATHYANARAYANA, J.)

Challenge in this writ appeal is to the order of the Writ Court dated 25.09.2014 made in W.P.No.26234 of 2014. The appellants herein are the respondents before the writ court and the respondent herein is the writ petitioner.

2. The respondent, who is the writ petitioner, was appointed as a temporary Plot Watcher in the appellant/Forest department on 01.07.1984 and his services were regularised on 07.08.2009 and he retired on 31.03.2011. As his services were regularised after 25 years, he prayed for counting of 50% of the temporary services rendered by him along with his remaining service for the purpose of calculating the pension and retiral benefits by filing a writ of mandamus in W.P.No.26234 of 2014. The said writ petition was disposed of, based on the judgment passed in W.A. Nos.27 and 28 of 2012 dated 13.02.2012. The appellants were directed to consider and dispose of petitioner's representation based on the orders passed in the above referred writ appeal in a time bound manner. It is also to be noted that the said issue of counting 50% of the temporary services rendered by a person for computing the pensionary benefits is no longer res integra in view of the recent judgment of the Full Bench of this court in the Government of Tamil Nadu and Ors. vs. R. Kaliyamoorthy reported in (2019) 6 CTC 705.

3. However the learned State Government Counsel representing the appellants would state that the order passed by the learned single Judge was implemented and given effect vide G.O.(3D)No.5 Environment and Forests (FR-2) Department, dated 12.02.2016. The learned counsel appearing for the respondent/writ petitioner also confirms that the order was implemented.

4. In view of the above, the Writ Appeal is dismissed. No costs. Consequently, the connected Civil Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

rsi



To

- 1.The Secretary,
Government of Tamil Nadu,
Environment and Forest Department,
Secretariat, Fort St. George,
Chennai.
- 2.The Principal Chief Conservator
of Forests,
O/o. Panagal Building,
Saidapet, Chennai-15.
- 3.The District Forest Officer,
Pollachi Division,
Anamalai Tiger Project,
Pollachi.
- 4.The Accountant General of Tamil Nadu,
O/o. DMS Compound,
Teynampet, Chennai-18.

+1 cc to the Special Government Pleader, Sr.No.32182

W.A. No.183 of 2018
and
C.M.P. No.1261 of 2018

RR(CO)
RVM(05/08/2021)