



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.06.2021

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.12212 of 2021

S.Gopal

... Petitioner

Vs

1.The Government of Tamilnadu,
Represented by its Secretary,
Environment and Forest Department,
Fort St.George, Chennai - 600 090.

2.The Principal Chief Conservator of Forests,
Panagal Building,
Saidapet, Chennai - 600 015.

3.The District Forest Officer,
Dharmapuri Forest Division,
Dharmapuri.

4.The Principal Accountant General of Tamil Nadu,
Teynampet, Chennai - 600 018. ... Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 1 to 3 respondent to count the half of service rendered by the petitioner as Social Forestry Worker from 20.03.1986 to 23.01.1995 on temporary basis along with the regular service from 24.01.1995 till the date of retirement on 31.08.2019 as qualifying service for the purpose of conferment of pension and to direct the respondents to send pension proposal to the fourth respondent under the old pension scheme for authorize the same with all consequential benefits by considering his representation dated 23.08.2020 within time frame.

For Petitioner : Ms.K.Jenitha

For R1 to R4 : Mr.K.V.Sajeev Kumar, Spl. GP



WEB COPY

ORDER

The relief sought for in this writ petition is to direct the respondents 1 to 3 to count the half of service rendered by the petitioner as Social Forestry Worker from 20.03.1986 to 23.01.1995 on temporary basis along with the regular service from 24.01.1995 till the date of retirement on 31.08.2019 as qualifying service for the purpose of conferment of pension and to direct the respondents to send pension proposal to the fourth respondent under the old pension scheme for authorizing the same with all consequential benefits by considering his representation dated 23.08.2020 within a time frame to be stipulated by this Court.

2. According to the petitioner, he was appointed as Plot Watcher on 20.03.1996 and his name was also included in the Statewide Seniority list in Sl.No.4573. However, the petitioner was not considered for the post of Forest Watcher despite he was brought into cadre post, while, his juniors were appointed as Forest Watchers. Subsequently, as per the direction given by this Court in W.P.No.4021 of 2018 he was appointed as Forest Watcher. The grievance of the petitioner is that the respondents have not considered his claim for counting half of the temporary service rendered by him as Social Forestry Worker from 20.03.1986 to 23.01.1995 as qualifying service for the purpose of conferment of pension. Hence, he made a representation dated 23.08.2020. Since no action was taken on the said representation, the petitioner has come up with the present writ petition for the aforesaid relief.

3. Heard both sides and perused the materials placed before this Court.

4. Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, this Court, without going into the merits of the case, directs the respondents to consider the petitioner's representation dated 23.08.2020, and pass appropriate orders, on merits and in accordance with law, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

5. This Writ Petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar (CS-V)

//True copy//

Sub Assistant Registrar



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To

- 1.The Government of Tamilnadu,
Represented by its Secretary,
Environment and Forest Department,
Fort St.George, Chennai - 600 090.
- 2.The Principal Chief Conservator of Forests,
Panagal Building,
Saidapet, Chennai - 600 015.
- 3.The District Forest Officer,
Dharmapuri Forest Division,
Dharmapuri.
- 4.The Principal Accountant General of Tamil Nadu,
Teynampet, Chennai - 600 018.

+1cc to Government Pleader SR.No.27460, 27414

W.P.No.12212 of 2021

UM(CO)
GMY(22/07/2021)