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Writ Appeal Nos.1658 and 1677 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.12.2022

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THE HONOURABLE MR. JUSTICE R.SUBRAMANIAN

and

THE HONOURABLE MR. JUSTICE SATHI KUMAR SUKUMARA KURUP

Writ Appeal Nos.1658 and 1677 of 2018

and

C.M.P.Nos.13348 and 13486 of 2018

W.A.No.1658 of 2018

- 1.The Government of Tamil Nadu,
Rep. by its Secretary,
Environment and Forest Department,
Secretariat, Chennai – 600 009.
- 2.The Principal Chief Conservator of Forests,
Having Office at Panagal Maaligai,
Saidapet,
Chennai – 600 015.
- 3.The District Forest Officer,
Trichy.
- 4.The Accountant General of Tamil Nadu,
Office of DMS Compound,
Teynampet,
Chennai – 18.

: Appellants/Respondents

Vs.

K.Rengasami

: Respondent/Petitioner

Writ Appeal filed u/s.15 of Letter Patent against the order passed by this Court in W.P.No.11948 of 2015, dated 24.04.2015.



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W.A.No.1677 of 2018

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1. Government of Tamil Nadu,
Rep. by Secretary to Government,
Forest and Environment Department,
Fort. St. George, Chennai – 600 009.
2. The Principal Chief Conservator of Forests,
Panagal Building,
Saidapet,
Chennai – 600 015.
3. The District Forest Officer,
Attur, Salem District.
4. The Accountant General of Tamil Nadu,
Office of the Accountant General,
Office at Teynampet,
Chennai – 18.

: Appellants/Respondents

Vs.

G.Kamalam

: Respondent/Petitioner

Writ Appeal filed u/s.15 of Letter Patent against the order passed by this Court in W.P.No.32013 of 2012, dated 30.11.2012.

For Appellants : Mr.G.Nanmaran
in both cases Special Government Pleader

For Respondent : Mr.S.Mani
in W.A.No.1658/2018

For Respondent : No appearance
in W.A.No.1677/2018



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COMMON JUDGMENT

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The challenge in both these appeals is to the order in W.P.No.11948 of 2015, dated 24.04.2015 and W.P.No.32013 of 2012, dated 30.11.2012. In and by the said orders, the Writ Court had directed inclusion of 50% of the temporary service period rendered by the petitioner in W.P.No.11948 of 2015 and the husband of the petitioner in W.P.No.32013 of 2012, as Plot Watchers on daily wage basis in the Forest Department for the purpose of calculation of pension. The order of the Writ Court is based on the judgment of this Court in W.P.No.8205 of 2011, dated 19.04.2011 which was confirmed by a Division Bench of this Court in W.A.Nos.27 and 28 of 2012, dated 13.02.2012. It is not shown to us that the judgment in W.A.Nos.27 and 28 of 2012, dated 13.02.2012 have been challenged in any manner.

2.Mr.S.Mani, learned counsel for the respondent in W.A.No.1658 of 2018 would also point out that the order of the Writ Court has been complied with by issue of G.O.(3D) No.20, Environment and Forests (FR-2) Department, dated 28.04.2016.



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3. In view of the same, we do not see any merit in the Writ Appeals, the Writ Appeals fail and accordingly they are dismissed. No costs. Consequently, the connected miscellaneous petitions are closed.

[R.S.M.,J] [S.S.K., J]
21.12.2022

Index: Yes/No
srm

To

1. The Secretary to Government,
Environment and Forest Department,
Secretariat, Chennai – 600 009.
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Having Office at Panagal Maaligai,
Saidapet,
Chennai – 600 015.
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Teynampet,
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R.SUBRAMANIAN, J
and
SATHI KUMAR SUKUMARA KURUP, J

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