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W.P (MD) Nos.12047,etc., of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE **B. PUGALENDHI**

**W.P (MD) Nos.12047,12056,12062, 12067,
12073,12084,12087 of 2020**

P.Veluchamy	... Petitioner in WP(MD). 12047/ 2020
P.Raju	... Petitioner in WP(MD). 12056/ 2020
M.Rajendran	... Petitioner in WP(MD). 12062/ 2020
V.Chinnaiyan	... Petitioner in WP(MD). 12067/ 2020
S.Lakshmanan	... Petitioner in WP(MD). 12073/ 2020
M.Mani	... Petitioner in WP(MD). 12084/ 2020
A.Ganesan	... Petitioner in WP(MD). 12087/ 2020

Vs.

- 1.The State of Tamil Nadu,
Represented 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 cum Wild Life Warden,
Srivilliputhur Division,
Virudhunagar District.
- 4.The Principal Accountant General of Tamil Nadu,
Teynampet,
Chennai - 18. : Respondent in W.P (MD) No.12047 of 2020



1.The Secretary to Government, State of Tamil Nadu,
Environment and Forest Department,
Fort St.George,
Chennai 09.

2.The Principal Chief Conservator of Forests,Panagal Maligai,
Saidapet,
Chennai 15.

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

4.Principal Accountant General Teynampet,
Chennai 18.

... Respondent(s) in WP(MD).Nos. 12056,12067 & 12073/ 2020

1.The Secretary to Government, State of Tamil Nadu,
Environment and Forest Department,
Fort St.George,
Chennai 09.

2.The Principal Chief Conservator of Forests,Panagal Maligai,
Saidapet,Chennai 15.

3.The District Forest Officer,Kodaikanal Forest Division,
Kodaikanal,
Dindigul District

4.Principal Accountant General,Teynampet,
Chennai 18.

... Respondent(s) in WP(MD)No.12062/ 20220

1.The Secretary to Government, State of Tamil Nadu,
Environment and Forest Department,
Fort St.George,
Chennai 09.

2.The Principal Chief Conservator of Forests,Panagal Maligai,
Saidapet,Chennai 15.

3.The Soil Conservation Officer,
Mettur Soil Conservation Scheme Division,
Salem,
Salem District

4.Principal Accountant General,Teynampet,
Chennai 18.

... Respondent(s) in WP(MD)No.12084/ 20220

1.The Secretary to Government, State of Tamil Nadu,
Environment and Forest Department,
Fort St.George,
Chennai 09.



2. The Principal Chief Conservator of Forests, Panagal Maligai, Saidapet, Chennai 15.

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

4. Principal Accountant General, Teynampet, Chennai 18.

... Respondent(s) in WP(MD) No.12087/ 20220

PRAYER in W.P(MD) No.12047 of 2020: Writ Petition filed under Article 226 of the Constitution of India seeking issuance of Writ of Mandamus, directing 1 to 3 respondents to count petitioner's service in full as qualifying service by absorbing the plot watcher service in the supernumerary Forest Watcher on completion of Ten years notionally from 18.10.1993 instead of 07.08.2009 similar to Junior as per G.O.Ms.NO.22 P and AR Department dated 28.02.2006 to till the date of retirement on 30.09.2017 and along with the half of contingencies service paid from 18.10.1983 to 17.10.1993 for the purpose of revised pension and to send pension proposal to the 4th respondent to authorise the same with all consequential arrear benefits with interest based on petitioner's representation dated 19.08.2020.

Prayer in WP(MD) . 12056/ 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue Writ of Mandamus directing the 1 to 3 respondents to count petitioner's service in full as qualifying service by absorbing the plot watcher service in the supernumerary Forest Watcher on completion of Ten years notionally from 01.08.1990 instead of 24.01.1995 similar to Junior as per G.O.Ms.NO.22 P and AR Department dated 28.02.2006 to till the date of retirement on 30.09.2017 and along with the half of contingencies service paid from 01.08.1980 to 31.07.1990 for the purpose of revised pension and to send pension proposal to the 4th respondent to authorise the same with all consequential arrear benefits with interest based on petitioner's representation dated 19.08.2020

Prayer in WP(MD) . 12062/ 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue Writ of Mandamus directing the 1 to 3 respondents to count petitioner's service in full as qualifying service by absorbing the plot watcher service in the supernumerary Forest Watcher on completion of Ten years notionally from 19.07.1989 instead of 24.01.1995 similar to Junior as per G.O.Ms.NO.22 P and AR Department dated 28.02.2006 to till the date of retirement on 30.04.2015 and along with the half of contingencies service paid from 19.07.1979 to 18.07.1989 for the purpose of revised pension and to send pension proposal to the 4th respondent to authorise the same with all consequential arrear



benefits with interest based on petitioner's representation dated 19.08.2020

Prayer in WP(MD) . 12067/ 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue Writ of Mandamus directing the 1 to 3 respondents to count petitioner's service in full as qualifying service by absorbing the plot watcher service in the supernumerary Forest Watcher on completion of Ten years notionally from 04.09.1992 instead of 07.08.2009 similar to Junior as per G.O.Ms.NO.22 P and AR Department dated 28.02.2006 to till the date of retirement on 31.01.2010 and along with the half of contingencies service paid from 04.09.1982 to 03.09.1992 for the purpose of revised pension and to send pension proposal to the 4th respondent to authorise the same with all consequential arrear benefits with interest based on petitioner's representation dated 19.08.2020

Prayer in WP(MD) . 12073/ 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue Writ of Mandamus directing the 1 to 3 respondents to count petitioner's service in full as qualifying service by absorbing the plot watcher service in the supernumerary Forest Watcher on completion of Ten years notionally from 16.12.1990 instead of 24.01.1995 similar to Junior as per G.O.Ms.NO.22 P and AR Department dated 28.02.2006 to till the date of retirement on 31.01.2006 and along with the half of contingencies service paid from 16.12.1980 to 15.12.1990 for the purpose of revised pension and to send pension proposal to the 4th respondent to authorise the same with all consequential arrear benefits with interest based on petitioner's representation dated 19.08.2020

Prayer in WP(MD) . 12084/ 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue Writ of Mandamus directing the 1 to 3 respondents to count petitioner's service in full as qualifying service by absorbing the plot watcher service in the supernumerary Forest Watcher on completion of Ten years notionally from 01.12.1990 instead of 13.03.2006 similar to Junior as per G.O.Ms.NO.22 P and AR Department dated 28.02.2006 to till the date of retirement on 31.05.2017 and along with the half of contingencies service paid from 01.12.1980 to 30.11.1990 for the purpose of revised pension and to send pension proposal to the 4th respondent to authorise the same with all consequential arrear benefits with interest based on petitioner's representation dated 19.08.2020



Prayer in WP(MD) . 12087/ 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue Writ of Mandamus directing the 1 to 3 respondents to count petitioner's service in full as qualifying service by absorbing the plot watcher service in the supernumerary Forest Watcher on completion of Ten years notionally from 09.07.1997 instead of 07.08.2009 similar to Junior as per G.O.Ms.NO.22 P and AR Department dated 28.02.2006 to till the date of retirement on 30.06.2019 and along with the half of contingencies service paid from 09.07.1987 to 08.07.1997 for the purpose of revised pension and to send pension proposal to the 4th respondent to authorise the same with all consequential arrear benifits with interest based on petitioner's representation dated 10.09.2020

For Petitioner	: Mr.C.Ezhilarasu for Mr.I Kanna Patel in all WPs
For Respondent Nos.1 to 3	: Mr.J.Ashok, Additional Government Pleader
For Respondent No.4	: Mr.P.Gunasekaran in all WPs

COMMON ORDER

Heard the learned Counsel appearing for the petitioners and the learned Government Advocate appearing for the respondents.

2.The petitioners have requested the respondents to count their services of Supplementary Forest Watcher as per G.O.Ms.No.22 P and AR Department dated 28.02.2006 for the purpose of calculating their pension and revision of pay by their considering representation dated 19.08.2020. However, their representations have not evoked any response from the respondents. Aggrieved over the same, the petitioners are before this Court.

3.When the matter is taken up for hearing today, learned Counsel for the petitioner submitted that it would be suffice if the representation of the petitioners dated 19.08.2020 are directed to be disposed of, within a stipulated time limit.

4.In view of the limited relief sought for, this Court, without expressing anything on the merits of the case, directs the respondents to consider the petitioners' representations dated 19.08.2020 and pass appropriate orders, on its own merits and in accordance with law, after affording due opportunity of hearing to the petitioners, within a period of twelve weeks from the date of receipt of a copy of this order.



5.With the above directions, these writ petitions stand disposed of. No costs.

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Sd/-

Assistant Registrar (CS II)

/ /2022

Sub Assistant Registrar(CS)

dsk

To

- 1.The 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 cum Wild Life Warden,
Srivilliputhur Division,
Virudhunagar District.
- 4.The District Forest Officer cum Wild Life Warden,
Thanjavur Forest Division,
Thanjavur District.
- 5.The District Forest Officer cum Wild Life Warden,
Kodaikanal Forest Division,
Kodaikanal District.
- 6.The Soil Conservation Officer,
Mettur Soil Conservation Scheme Division,
Salem, Salem District.
- 7.The Principal Accountant General of Tamil Nadu,
Teynampet,
Chennai - 1.
- 8.The District Forest Officer, Trichy Forest Division,
Trichy,
Trichy District.

+7 CC to M/s.I.KANNA PATEL, Advocate (SR-4168[F]to SR-4174[F] dated 04/02/2022)

+1 CC to M/s.SPL.GP (SR-4241[F] to SR-4246[F]dated 04/02/2022)

**W.P (MD) Nos.12047,12056,12062, 12067,
12073,12084,12087 of 2020
03.02.2022**