



W.P(MD)No.13394 of 2019

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.07.2023

CORAM:

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P(MD)No.13394 of 2019

Sounthara Raj

... Petitioner

vs.

1.The Government of Tamil Nadu,
Rep. by Secretary to Government,
Forest and Environment Department,
Fort St. George, Chennai-9.

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

3.The Divisional Forest Officer,
Social Forestry Division/Extention,
Tirunelveli, Tirunelveli District.

4.The Principal Accountant General of Tamil Nadu,
Teynampet, Chennai-18.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents from 1 to 3, to conduct the half of the service rendered by the petitioner as a social forestry



W.P(MD)No.13394 of 2019

WEB COPY

worker from 01.02.1984 to 06.08.2009 along with the regular service as Plot Watcher from 07.08.2009 to 31.03.2019 as a qualifying service and send the revised pension proposal to the fourth respondent and to further direct the fourth respondent to sanction the eligible pension and all other terminal benefits to the petitioner.

For Petitioner	: Mr.G.Chandrasekar
For R1 to R3	: Mr.J.John Rajadurai Government Advocate
For R4	: Mr.P.Gunasekaran

ORDER

The matter is relating to counting of 50% of service for the purpose of grant of pensionary benefits to the petitioner in the post of Forest Watcher.

2.The learned counsel appearing on either side cannot deny the fact that the matter has been decided by the Hon'ble Full Bench in and by which, the service can no longer be counted and that the decision of the Hon'ble Full Bench is also confirmed by the Hon'ble Supreme Court of India. In that view of the matter, the writ petition is bound to fail.



W.P(MD)No.13394 of 2019

WEB COPY

3.However, the learned counsel for the petitioner wants liberty to file a fresh writ petition in respect of grant of regularisation from an anterior date.

4.In that view of the matter, the Writ Petition is dismissed. However, with liberty to the petitioner to file a writ petition on a different cause of action, if he is still chooses to. No costs.

07.07.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
sjj

To

- 1.The Principal Secretary to Government,
State of Tamil Nadu,
Forest and Environment Department,
Fort St. George, Chennai-9.
- 2.The Principal Chief Conservator of Forests,
Panagal Building,
Saidapet, Chennai-15.
- 3.The Divisional Forest Officer,
Social Forestry Division/Extention,
Tirunelveli, Tirunelveli District.

3/4



WEB COPY



W.P(MD)No.13394 of 2019

D.BHARATHA CHAKRAVARTHY,J.

sjj

ORDER MADE IN
W.P(MD)No.13394 of 2019

DATED : 07.07.2023