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W.P.No.6913 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.03.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.6913 of 2024

A. Paramasivam

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Petitioner

Vs

1. The State of Tamil Nadu,
Rep. by its Secretary to Government,
Environment and Forest Department,
Fort St.George, Secretariat,
Chennai – 600 009.

2. The Principal Chief Conservator of Forests,
(Head of the Department),
O/o.The Principal Chief Conservator of Forests,
J5, Velachery Road, Guindy,
Chennai – 600 032.

3. Conservator of Forests,
Trichy Circle,
J.K.Nagar, Kajamalai,
Trichy – 620 023.

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Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Mandamus, directing the first and second respondents to sanction and settle all retiral benefits and restore regular pension with effect from 01.02.2009 to the petitioner, after adjusting an recovery amount to the tune of Rs.26,770/- by considering his representation dated 01.07.2022.

For Petitioner : Mr.V.Ravikumar



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For Respondents : Dr.T.Seenivasan
Special Government Pleader

ORDER

This Writ Petition has been filed for a direction directing the first and second respondents to sanction and settle all retiral benefits and restore his regular pension with effect from 01.02.2009 to the petitioner after adjusting the recovery amount to the tune of Rs.26,770/-.

2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. The petitioner had joined the service as Forest Guard in the year 1980. Subsequently, he was promoted as Forester and retired from service on 31.01.2009 without prejudice to the outcome of two departmental proceeding initiated under Rule 17(a) of TN (D&A) Rules. Though the petitioner was allowed to retire from service, he was not paid any retirement benefits. Now the disciplinary proceedings had come to an end and the petitioner has also given consent to deduct a sum of Rs.26,770/-. However, so far, he was not paid any terminal benefits. Therefore, the petitioner submitted a representation and also consented for deduction a sum of Rs.26,770/- from the terminal benefits and seeking disbursement of his terminal benefits and pension.

4. Considering the above, the second respondent is directed to



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sanction and settle all the terminal benefits and pension due to the petitioner with effect from 01.02.2009 after adjusting a sum of Rs.26,770/- and disburse the same to the petitioner within a period of six weeks from the date of receipt of a copy of this order.

5. With the above direction, this Writ Petition stands disposed of.

No costs.

19.03.2024

Index : Yes/No
Speaking/Non Speaking order
Neutral Citation : Yes/No
Lpp

To

1. The Secretary to Government,
Environment and Forest Department,
Fort St.George, Secretariat,
Chennai – 600 009.

2. The Principal Chief Conservator of Forests,
(Head of the Department),
O/o.The Principal Chief Conservator of Forests,
J5, Velachery Road, Guindy,
Chennai – 600 032.

3. Conservator of Forests,
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G.K.ILANTHIRAIYAN. J.

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