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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.07.2024

CORAM:

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

**W.P.No.20381 of 2024**

S.Ebirajan ... Petitioner

Vs

1. Government of Tamil Nadu,
   represented by its Secretary,
   Environment and Forest Department,
   Fort St.George, Chennai – 600 009.

2. The Principal Chief Conservator of Forests,
   (Head of Forest Force),
   Velachery Main Road, Guindy,
   Chennai – 600032. ... Respondents

**Prayer**: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents to Extent the benefits of the G.O.Ms.No.89, Environment and Forests (FR- II) dated 18.07.2017 to regularize the service of the petitioner in the cadre as Forest Watcher Grade- II retrospectively with effect from 23.07.1989 after completion of 10 years daily wage service in the light of the order passed in W.P.No.17568 of 2010 dated 24.10.2016 and order in W.P.No.26137 of 2021 purpose of getting pension by considering the representation dated 05.01.2024 so as to enable to get service benefits and other monetary benefits.


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For Petitioner : Mr.S.Mani
For Respondents : Mr.C.Selvaraj
Additional Government Pleader

**ORDER**

This writ petition has been filed for direction directing the respondents to Extent the benefits of the G.O.Ms.No.89, Environment and Forests (FR- II) dated 18.07.2017 to regularize the service of the petitioner in the cadre as Forest Watcher Grade- II retrospectively with effect from 23.07.1989 after completion of 10 years daily wage service in the light of the order passed in W.P.No.17568 of 2010 dated 24.10.2016 and order in W.P.No.26137 of 2021 purpose of getting pension by considering the representation dated 05.01.2024 so as to enable to get service benefits and other monetary benefits.

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

3. It is brought to the notice of this Court that the learned Division Bench of this Court in W.A.No.904 of 2021 dated 26.03.2024, after having taken note of the order passed in W.P.No.17568 of 2010 dated


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24.10.2016, allowed the claim made by the appellants therein under similar circumstances.

4. This Court having taken into consideration, the submission made on either side and also perused the entire material on record and on verification, it is noticed that the claim of the petitioners in W.P.No.17568 of 2010 were considered by the respondents pursuant to order dated 24.10.2016 passed in the said writ petition and issued G.O.Ms.No.89, Environment and Forest (FR-II) dated 18.07.2017.

5. In the light of the submission made by the learned counsel on either side, as already noted above, this Court does not find any reason to adjudicate this matter on merits again and this Court is of the considered view that it is appropriate to dispose of the writ petition as it is fully covered by the order passed by this Court in W.P.No.17568 of 2010 dated 24.10.2016 and the order passed in W.A.No.904 of 2021 dated 26.03.2024.

6. Accordingly, this writ petition is allowed directing the respondents to regularize the services of the petitioner from the date on


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which he had completed 10 years of services as Forest Watcher Grade- II and consequently, extend all service benefits including financial benefits to him as provided under G.O.Ms.No.89, Environment and Forest (FR-II) dated 18.07.2017 under the other relevant Rules. The entire exercise as directed shall be completed as expeditiously as possible at any rate within a period of twelve (12) weeks from the date of receipt of a copy of this order.

7. Accordingly, this writ petition stands allowed. No costs.

23.07.2024

Internet: Yes
Index : Yes/No
Neutral Citation : Yes/No
Speaking/Non Speaking order
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To

1. The Secretary,
   Government of Tamil Nadu,
   Environment and Forest Department,
   Fort St.George, Chennai – 600 009.

2. The Principal Chief Conservator of Forests,
   (Head of Forest Force),
   Velachery Main Road, Guindy,
   Chennai – 600032.


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**G.K.ILANTHIRAIYAN. J,**

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