



Writ Petition No.25688 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.09.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.25688 of 2024

G.Pooncholai

... Petitioner

Vs.

1.The State of Tamil Nadu,
represented by its
Principal Secretary to Government,
Environmental, Climate Change and
Forest Department,
St.George Fort, Secretariat,
Chennai - 600 009.

2.The Principal Chief Conservator of Forests,
Head of Forest Force,
Guindy - Velacherry Main Road,
Guindy, Chennai - 600 032.

3.The District Forest Officer,
Dharmapuri Forest Division,
Dharmapuri - 5,
Dharmapuri District.

4.The Accountant General of Tamil Nadu,
Office of the Accountant General,
Anna Salai, Teynampet,
Chennai - 18.

... Respondents



Writ Petition No.25688 of 2024

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing respondents 1 to 3 to regularize the service of the petitioner from the date on which completing ten years of service as Plot Watcher on daily wage basis for the purpose of getting pension in the light of the Hon'ble Supreme Court judgment reported in (2019) 10 SCC 516 and confer all consequential pensionary benefits from the date of petitioner's retirement by sending the proposal to the fourth respondent for granting pension with all consequential monetary benefits.

For Petitioner : Mr.M.R.Jothimanian

For Respondents : Mr.C.Selvaraj
Additional Government Pleader
[R1 to R3]
Mrs.G.Vardini Karthik [R4]

ORDER

This writ petition has been filed seeking issuance of a writ of mandamus directing the respondents to regularize the services of the petitioner as Forest Watcher from the date on which the petitioner completed 10 years of service as Plot Watcher.

2. Heard Mr.M.R.Jothimanian, learned counsel for petitioner,
Mr.C.Selvaraj, learned Additional Government Pleader appearing for



Writ Petition No.25688 of 2024

respondents 1 to 3 and Mrs.G.Vardini Karthik, learned counsel for fourth respondent.

3. The petitioner was appointed as a Plot Watcher on 08.08.1987. He was appointed and regularized in the post of Plot Watcher on 07.08.2009. Thereafter, the petitioner was appointed as a Forest Watcher in regular time scale of pay in the year 2014. The petitioner, thereafter, retired from service on 31.07.2024 and the petitioner was not given any pensionary benefits.

4. The grievance of the petitioner is that he has put in 36 years of service and his services were not regularised on completion of 10 years of service as plot watcher. In view of the same, the petitioner was found ineligible for any pensionary benefits. The petitioner made representations in this regard and requested the respondents to regularize the services of the petitioner on completion of 10 years in line with the Government Orders issued and in line with the earlier orders passed by this Court. Since the same was not considered, the present writ petition has been filed before this Court.



Writ Petition No.25688 of 2024

5. Taking into consideration the Government Orders passed in

G.O.Ms.No.64, dated 08.03.1999 and G.O.Ms.No.95, dated 07.08.2009

and earlier orders passed by this Court for persons, who are similarly placed, which were also implemented by G.O.(2D) No.127, dated 03.06.2023, there shall be a direction to respondents 1 and 2 to deal with the claim made by the petitioner in line with the Government Orders and the earlier orders passed by this Court and take a decision within a period of eight (8) weeks from the date of receipt of a copy of this order.

6. The petitioner is directed to make a fresh representation to the respondents 1 and 2 along with all relevant documents and also a copy of this order.

This writ petition is disposed of with the above direction. No costs.

02.09.2024

Neutral Citation: Yes/No

Index: yes/no

Speaking Order/Non-Speaking Order

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Writ Petition No.25688 of 2024

To

WEB COPY

1. The Principal Secretary to Government,
Environmental, Climate Change and
Forest Department,
St. George Fort, Secretariat,
Chennai - 600 009.
2. The Principal Chief Conservator of Forests,
Head of Forest Force,
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3. The District Forest Officer,
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Writ Petition No.25688 of 2024

N.ANAND VENKATESH, J

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Writ Petition No.25688 of 2024

02.09.2024