



W.P.(MD) No.12921 of 2020

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.03.2024

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THE HON'BLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.(MD) No.12921 of 2020

K.Krishnan

... Petitioner

Vs.

1.The State of Tamil Nadu,
Rep., 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/Wild Life Warden,
Megamalai Wild Life Sanctuary,
Theni Forest Division, Theni District.

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

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue Writ of Mandamus directing respondents 1 to 3 to count petitioner's service in full as qualifying service by absorbing the plot watcher service in the



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Supernumerary Forest Watcher on completion of ten years notionally from 01.08.1993 instead of 07.11.2008 to till the date of retirement on 30.09.2012 similar to Junior as per G.O.Ms.No.22, P & AR Department dated, 28.2.2006 and G.O.Ms.No.142 of the 1st respondent, dated 30.09.2010 and along with the half of the contingencies service paid from 01.08.1983 to 31.07.1993 for the purpose of old pension and to send revised pension proposal to the 4th respondent to authorize the same with all consequential arrear benefits with interest based on the petitioner's representation dated 07.09.2020 within time frame to be fixed by this Court.

For Petitioner : Mr.I.Kanna Patel
For RR1 to 3 : Mr.D.Sasi Kumar
Additional Government Pleader

ORDER

This writ petition has been filed seeking a Writ of Mandamus directing Respondents No.1 to 3 to count the 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 01.08.1993 instead of 07.11.2008 to till the date of retirement on 30.09.2012 similar to juniors as per G.O.Ms.No.22, (P & AR Department) dated, 28.2.2006 and G.O.Ms.No.142, dated 30.09.2010 of the 1st respondent along



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with half of the contingencies service paid from 01.08.1983 to 31.07.1993 for the purpose of old pension and to send revised pension proposal to the 4th respondent to authorize the same with all consequential arrear benefits with interest based on the petitioner's representation dated 07.09.2020.

2. When the matter is taken up for consideration, learned counsel for the petitioner as well as the learned Additional Government Pleader fairly submitted that the issue involved in this writ petition is squarely covered by various orders passed by this Court in W.P.Nos.31208, 31711, 31213 and 31210 of 2019, dated 06.11.2019 and W.P.No.21627 of 2021, dated 07.10.2021, wherein persons who are similarly situated like the petitioner, who worked as Social Forestry Workers and Plot Watchers, have approached this Court seeking regularisation of their services by counting the temporary service and the said writ petitions were disposed of by this Court and accordingly, the said orders were implemented by the respondent-Government by issuing G.O.(2D) No.124, Environment, Climate Change and Forest (FR.2(ii)) Department, dated 17.08.2022 and G.O.(2D) No.127, dated 03.06.2023.



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3. According to the learned counsel for the petitioner, the said Government Orders were issued regularising the services of the juniors of the petitioner, but the case of the petitioner is not considered for regularisation. Hence, the petitioner approached this Court by filing the present writ petition.

4. A perusal of the said orders passed by this Court shows that the said orders were also passed by learned Single Judges of this Court by taking note of previous orders passed by this Court in W.P.No.15561 of 2006 and W.P.No.23374 of 2008 and the said orders are also shown to have been complied with by the respondents duly regularising the services of the petitioners therein.

5. In the light of the above, this Court does not see any impediment to grant the similar relief to the petitioner herein also.

6. Accordingly, this Writ Petition is allowed directing the respondents to consider the case of the petitioner and to regularise his service



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as Forest Watcher on par with his juniors in the similar lines as in G.O.(2D) No.124, Environment, Climate Change and Forest (FR.2(ii)) Department, dated 17.08.2022 and G.O.(2D) No.127, dated 03.06.2023 and pass appropriate orders as expeditiously as possible, at any rate, within a period of three months from the date of receipt of a copy of this order. No costs.

22.03.2024

NCC : Yes/No

Index : Yes/No

Internet : Yes

ABR

To

- 1.The Secretary to Government,
State of Tamil Nadu,
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/Wild Life Warden,
Megamalai Wild Life Sanctuary,
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MUMMINENI SUDHEER KUMAR, J.

ABR

4. The Principal Accountant General of Tamil Nadu,
Teynampet,
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