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W.P.No.11913 of 2025 etc

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.11.2025

CORAM:

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

W.P.Nos.11913, 11919, 11926, 11928, 11930,
39365, 39373, 39376, 39378, 39380 & 39384 of 2025
and W.M.P.Nos.13482 & 13488 of 2025

W.P.No.11913 of 2025 :-

A.Elangovan

... Petitioner

Vs.

1.Government of Tamil Nadu,
Rep. By its Additional Chief Secretary
to Government,
Environment, Climate Change and
Forest(FR.2) Department,
Secretariat, Fort St. George,
Chennai-600 009.

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

... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, calling for the entire records which culminated in issuing the second respondent in Ref.No.LLC/6025/2024 dated 22.07.2024 and quash the same and directing the respondents to regularize the service of the petitioner in the cadre of Forest Watcher on par with juniors K.Subramani, Seniority



W.P.No.11913 of 2025 etc

No.4988 and R.Mani, Seniority No.4920 with effect from 08.03.1999 and in the light of the order passed by this High Court in W.P.No.15561 of 2006 dated 10.03.2008, W.A.No.690 of 2008 dated 13.10.2009, W.P.No.23374 of 2008 dated 30.10.2009, W.A.No.607 of 2010 dated 29.03.2010 and proceedings of the second respondent dated 07.01.2011 and order in W.P.No.19020 of 2021 dated 09.09.2021 and extent the benefit of the order passed by the first respondent in G.O.(2D) No.124 Environment, Climate Change and Forests (FR.2(ii)) Department dated 17.08.2022, within a time limit that may be fixed by this Court.

In all W.Ps.

For Petitioner : Mr.S.Mani

In W.P.Nos. 11913, 11919, 11926, 11928 & 11930 of 2025

For Respondents : Dr.T.Seenivasan
Special Government Pleader

In W.P.Nos.39365, 39373, 39376, 39378, 39380 & 39384 of 2025

For Respondents : Mr.C.Selvaraj
Additional Government Pleader

COMMON ORDER

The Writ Petitions in W.P.Nos.11913, 11919, 39376 & 39380 of 2025 have been filed challenging the orders passed by the respondents dated 22.07.2024, 06.02.2023, 17.02.2023 & 27.03.2024 respectively, thereby rejecting the request made by the petitioners and consequently to direct the respondents to regularize the petitioner's/petitioner's husband's service in the cadre of Forest Watcher



W.P.No.11913 of 2025 etc

for the purpose of getting minimum pension by giving relaxation in respect of height as the same was allowed for similarly placed persons like the petitioner, in the light of the order passed by this Court in W.P.Nos.21349 & etc., batch of 2023 dated 03.08.2023 within a time limit that may be fixed by this Court.

2. The Writ Petitions in W.P.Nos.11926, 11928, 11930, 39365, 37373, 39378 & 39384 of 2025 have been filed for direction directing the respondents to regularize the petitioner's/petitioner's husband's service in the cadre of Forest Watcher for the purpose of getting minimum pension by giving relaxation in respect of height as the same was allowed for similarly placed persons like the petitioner, in the light of the order passed by this Court in W.P.Nos.21349 & etc., batch of 2023 dated 03.08.2023, within a time limit that may be fixed by this Court.

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



W.P.No.11913 of 2025 etc

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4. In similar matters, this Court considered the similar request in W.P.Nos.21349 of 2023 and etc., batch dated 03.08.2023 and held as follows:-

“7. Admittedly, the grievance of the writ petitioner is that he is seeking regularization of service for pensionary benefits. It is the contention of the writ petitioners that similarly persons have been given such benefits as per Government Orders in G.O.Ms.No.95, Environment and Forest Department, dated 07.08.2009, G.O (2D) No. 08 Environment Climate Change And Forests (FR.2ii) Department dated 09.01.2023 and G.O. [2D] No.9, dated 08.02.2022. Based on the Orders of this Court in W.A.No.2072 of 2018, dated 11.08.2021, the Government has issued the Government Order in G.O (2D) No. 08 Environment Climate Change And Forests (FR.2ii) Department dated 09.01.2023. As per the above Government Orders, the relief has been extended to similarly placed persons. Hence, the respondents are directed to consider the case of the petitioners in the light the above Government Orders, as the benefit has been extended to similarly placed person. In fact the plot watchers are frontline soldiers in forest and they are main protectors of the forest. These facts cannot be disputed by any one. Hence, while passing the



W.P.No.11913 of 2025 etc

Orders, the Government shall take into consideration the nature of service rendered by the petitioners and also the fact that when similarly placed persons have already been granted the relief, if the petitioners are not granted such relief, the same is nothing but discrimination and it violates Article 14 of Constitution of India. In such view of the matter, the respondent shall extend the benefits as per above Government Orders as it is extended to similarly situated persons.”

5. In view of the above judgment, the impugned orders cannot be sustained and are liable to be set aside. Accordingly, the impugned orders passed by the respondents dated 22.07.2024, 06.02.2023, 17.02.2023 & 27.03.2024, are hereby set aside. Further, the respondents are directed to consider the representation submitted by petitioners in all the Writ Petitions, in the light of the above order passed in W.P.Nos.21349 of 2023 etc., batch dated 03.08.2023, as the benefits have been extended to similarly placed persons and pass orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.



W.P.No.11913 of 2025 etc

WEB COPY 6. With the above directions, all the Writ Petitions stand disposed of. Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.

03.11.2025
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Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order

Note:- Registry is directed to incorporate Cause title for all the cases and issue order copy.

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W.P.No.11913 of 2025 etc

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To
1.The Additional Chief 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-600 032.



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G.K.ILANTHIRAIYAN. J.

rts

W.P.Nos.11913, 11919, 11926, 11928, 11930,
39365, 39373, 39376, 39378, 39380 & 39384 of 2025
and W.M.P.Nos.13482 & 13488 of 2025

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