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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-11-2025

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THE HONOURABLE MR JUSTICE G.K. ILANTHIRAIYAN

WP No. 15924 of 2025
and
WMP No.18030 of 2025

1. S.Settu

2.K.Alagesan

Petitioner(s)

Vs

1. The State of Tamil Nadu,
Rep. By Its Addl. Chief Secretary to Government,
Environment Climate Change and Forest Department,
Fort St. George, Chennai-9.

2.The Principal Chief Conservator of Forests and
Head of Forest Force,
Joint Forest Management,
Velachery Main Road, Guindy, Chennai-32.

Respondent(s)

PRAYER: This writ petition has been filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus calling for the records in G.O. (2D)No.175 Environment, Climate Change and Forests (FR.2) Department, dated 07.11.2022 and quash the same in so far as regularization of the petitioners service with effect from 24.01.1995 instead of

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08.03.1999 and further direction directing the respondents to consider the notional regularization to the petitioner as Forest Watcher with effect from 24.01.1995 instead of 08.03.1999 for the purpose of getting revised pension on par with juniors same was done in similarly placed persons in G.O. (2D) No.177 Environment, Climate change and Forests (FR.2II) Department, dated 14.11.2022 within time limit to be stipulated by this court.

For Petitioner(s): Ms.K.Jenitha

For Respondent: Mr.C.Selvaraj AGP

ORDER

The writ petition has been filed in the nature of Certiorarified Mandamus calling for the records in G.O. (2D)No.175 Environment, Climate Change and Forests (FR.2) Department, dated 07.11.2022 and quash the same in so far as regularization of the petitioners' service with effect from 24.01.1995 instead of 08.03.1999 and further direction directing the respondents to consider the notional regularization to the petitioners as Forest Watcher with effect from 24.01.1995 instead of 08.03.1999 for the purpose of getting revised pension on par with juniors same was done in similarly placed persons in G.O. (2D) No.177 Environment, Climate change and Forests (FR.2II) Department, dated 14.11.2022 within time limit to be stipulated by this court.

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2. In the affidavit filed in support of the Writ Petition, it has been stated that the Writ Petitioners had been initially appointed as Plot Watcher on daily wage basis on 01.01.1980 & 01.06.1981 respectively in the Forest Department. Their services were not regularized for a number of years. Thereafter the State wise seniority list was prepared. But it was not given effect to in letter and spirit. It was not followed by the department in the matter of regularization of the service of the employees on daily wage basis. This resulted in juniors being regularized even before the petitioners. The petitioners were regularized only after rendering 32 & 33 years of service respectively. It is stated that overlooking the seniority list, 425 Plot Watchers were given appointment as Forest Watchers on 24.01.1995 itself. The petitioners however got that particular benefit only on 08.03.1999. The petitioners state that they should be treated in equal terms on par with their juniors as on 24.01.1995. In this connection, the learned counsel for the petitioners placed reliance on the orders of a learned single judge of this Court in W.P.Nos.19373 and 19383 of 2024 in A.Krishnamoorthy vs. Government of Tamil Nadu, Represented by its Additional Chief Secretary to Government, Environment, Climate Change and

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Forest Department, Chennai and anr. wherein the learned single Judge of this Court while examining a similar issue, had held as follows:

> *"7. As rightly pointed out by the learned counsel for the petitioners, originally, the eligibility for the cadre post of Forest Watcher was only the ability to read and write in Tamil, along with a height of 163 cms. By way of the Government Order in G.O. (Ms) No. 332, Environment and Forests (FR. VI) Department, dated 22.12.1994, the minimum general education qualification, i.e., SSLC, was fixed for the post of Forest Watcher. After the filing of the application before the Tamil Nadu Administrative Tribunal, the Government itself cancelled the said Government Order and issued G.O. (Ms) No. 64, Environment and Forests (V2) Department, dated 08.03.1999, thereby cancelling G.O. (Ms) No. 332, Environment and Forests (FR. VI) Department, dated 22.12.1994, and G.O. Ms. No. 297, Environment & Forests (FR. 2) Department, dated 28.11.1994.*
>
> *8. On a perusal of the Tamil Nadu Forest Subordinate Services Rules for the category of Forest Watcher, the method of recruitment is by direct*

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recruitment and appointment from Social Forestry Workers and Plot Watchers, with the qualification being the ability to read and write in Tamil, and physical requirements of not less than 79 cm round the chest on full expiration, a height of not less than 163 cm, and a chest expansion of not less than 5 cm on full inspiration. Accordingly, all the petitioners are qualified and eligible for the post of Forest Watchers.

9. As per seniority, their juniors were posted to the post of Forest Watchers pursuant to G.O. (Ms) No. 332, Environment and Forests (FR. VI) Department, dated 22.12.1994. After cancelling the said Government Order, the petitioners are also entitled to be posted to the post of Forest Watchers on par with their juniors. That apart, as per G.O (2D) No. 177, Environment, Climate Change and Forests (FR.2ii) Department, dated 14.11.2022, similarly placed persons, viz., V. Subramani and 29 others, were given notional promotion to the post of Forest Watcher from 24.01.1995.

10. In view of the above, the Government

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Orders in G.O.(2D) No.134, Environment, Climate Change and Forests (FR.2(ii)) Department, dated 16.06.2023 and G.O.(2D) No.01, Environment Forest (FR.2(II)) Department, dated 01.01.2021 are quashed, insofar as the regularization of the petitioners- service with effect from 24.01.1995 instead of 08.03.1999. The respondents are directed to notionally regularize the petitioners as Forest Watchers with effect from 24.01.1995, for the purpose of revised pension, on par with their juniors, as per Tamil Nadu Forest Subordinate Services Rule 5 Class~1 (4)(ii), within a period of eight weeks from the date of receipt of a copy of this order.

11. In the result, these Writ Petitions are allowed. Consequently, connected Miscellaneous Petitions are closed. No costs.“

3. The same order would apply to the Writ Petitioners also. The Government Order impugned in this Writ Petition is quashed insofar as the date of regularization of the services of the petitioners are concerned and the

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petitioners are directed to be brought into regular service on 24.01.1995 as Forest Watcher for the purpose of revised pension. The respondents are directed to notionally reguralise the services of the petitioners with effect from 24.01.1995 for the purpose of revised pension on par with their juniors as per the Tamil Nadu Forest Subordinate Services Rules 5 Clause~1 (4)(ii), within a period of eight weeks from the date of receipt of a copy of this Order.

4. With the above observation, this Writ Petition stands allowed. No costs. Consequently, connected miscellaneous petition is also closed.

28-11-2025

Index:Yes/No
Speaking/Non-speaking order
Internet:Yes
Neutral Citation:Yes/No
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To
1. The State of Tamil Nadu,
Rep. By Its Addl. Chief Secretary to Government,
Environment Climate Change and Forest Department,
Fort St. George, Chennai-9.

2.The Principal Chief Conservator of Forests and

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Head of Forest Force,
Joint Forest Management,
Velachery Main Road, Guindy, Chennai-32.

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G.K.ILANTHIRAIYAN, J.

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