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W.P.No.36595 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.11.2025

CORAM:

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

W.P.No.36595 of 2025

1.C.Julian
2.J.Nicky Joseph
3.V.Radhakrishnan
4.M.Porchelvi
5.R.Niranjana Devi
6.N.Murali

... Petitioners

-Vs-

1.The Union of India,
Rep. by its Secretary to Government,
Ministry of Environment, Forest and Climate Change Department,
Indira Paryavaran Bhawan,
Jor Bagh, New Delhi – 110 003.

2.The Director of Forest Education,
Ministry of Environment, Forest and Climate Change Department,
New Forest Post,
Dehra Dun – 248 006.

... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to notionally regularize the petitioners service in full by relaxing the rules after completion of ten years from the date of initial appointment on 05.11.1993 along with regular service as qualifying service for the purpose of getting full pension and family pension as per Rule 11 of CCS Pension Rule, 2021 in the Light of Hon'ble Supreme Court Judgment delivered in C.A.No.6798 of 2019 dated 02.09.2019 and Hon'ble Madras High Court orders passed in W.P.No.19023 of 2021



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dated 09.09.2021 and Cont.P.No.752 of 2022 order dated on 01.07.2022 and W.P.(MD).Nos.12258, 15339 of 2024 dated 12.06.2024, 10.07.2024 and W.P.(MD).No.4714 of 2025 dated 17.03.2025 were complied in G.O. (2D).No.91, dated on 30.06.2022 and G.O.(2D).Nos.32, 33 and 143 dated on 28.02.2025, 03.03.2025 and 21.07.2025 of the Tamil Nadu State Forest Department respectively and to confer all consequential pensionary benefits with arrears by the way of petitioners' common representation to the respondents within time frame as fixed by this Court.

For Petitioners : Mr.I.Kannapatel

For Respondents : Mr.V.Ashok Kumar
Senior Panel Counsel

ORDER

This writ petition has been filed seeking a direction upon the respondents to notionally regularize the petitioners service in full by relaxing the rules after completion of ten years from the date of initial appointment on 05.11.1993 along with regular service as qualifying service for the purpose of getting full pension and family pension as per Rule 11 of CCS Pension Rule, 2021 in the light of Hon'ble Supreme Court Judgment delivered in C.A.No.6798 of 2019 dated 02.09.2019 and Hon'ble Madras High Court orders passed in W.P.No.19023 of 2021 dated 09.09.2021 and Cont.P.No.752 of 2022 order dated on 01.07.2022 and W.P.(MD).Nos.12258, 15339 of 2024 dated 12.06.2024, 10.07.2024 and W.P.(MD).No.4714 of 2025 dated 17.03.2025 were complied in G.O. (2D).No.91, dated 30.06.2022 and G.O.(2D).Nos.32, 33 and 143 dated



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28.02.2025, 03.03.2025 and 21.07.2025 of the Tamil Nadu State Forest Department respectively and to confer all consequential pensionary benefits with arrears by the way of petitioners' common representation to the respondents within time frame as fixed by this Court.

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

3. When the matter was taken up for hearing today, the learned counsel appearing for the petitioners submitted that the issue involved in this writ petition is no longer *res-integra* and a similar issue has already been decided by the Hon'ble Supreme Court in the case of ***Prem Singh Vs State of Uttar Pradesh and others*** in ***C.A.No.6798 of 2019*** dated 02.09.2019. Following the same, this Court has passed several orders in W.P.No.19023 of 2021 dated 09.09.2021, Cont.P.No.752 of 2022, dated on 01.07.2022, W.P.(MD).Nos.12258, 15339 of 2024, dated 12.06.2024, 10.07.2024 respectively and W.P.(MD).No.4714 of 2025, dated 17.03.2025. Therefore, he submitted that the same order may be passed in this petition as well.



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4. The Hon'ble Supreme Court in the case of ***Prem Singh Vs State***

of Uttar Pradesh and others in ***C.A.No.6798 of 2019 dated 02.09.2019***,

has held as follows:-

“ 35. There are some of the employees who have not been regularized in spite of having rendered the services for 30-40 or more years whereas they have been superannuated. As they have worked in the work-charged establishment, not against any particular project, their services ought to have been regularized under the Government instructions and even as per the decision of this Court in Secretary, State of Karnataka & Ors. v. Uma Devi 2006 (4) SCC 1. This Court in the said decision has laid down that in case services have been rendered for more than ten years without the cover of the Court's order, as one time measure, the services be regularized of such employees. In the facts of the case, those employees who have worked for ten years or more should have been regularized. It would not be proper to regulate them for consideration of regularisation as others have been regularised, we direct that their services be treated as a regular one. However, it is made clear that they shall not be entitled to claiming any dues of difference in wages had they been continued in service regularly before attaining the age of superannuation. They shall be entitled to receive the pension as if they have retired from the regular establishment and the services rendered by them right from the day they entered the work-charged establishment shall be counted as qualifying service for purpose of pension.”

5. Thus, it is clear that the petitioners are also entitled to be regularized in their service from the date on which they completes ten years of service from the day they entered the work-charged establishment for the purpose of getting pension.



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6. In view of the above, the respondents are directed to consider the petitioner's representation, dated 21.07.2025 and 05.08.2025 and pass appropriate orders, on merits and in accordance with law, in the light of the judgment delivered in C.A.No.6798 of 2019, dated 02.09.2019 and the orders passed in W.P.No.19023 of 2021 dated 09.09.2021, Cont.P.No.752 of 2022, dated on 01.07.2022, W.P.(MD).Nos.12258, 15339 of 2024, dated 12.06.2024, 10.07.2024 respectively and W.P.(MD).No.4714 of 2025, dated 17.03.2025, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

7. In the result, this writ petition stands allowed. No costs.

17.11.2025

Index : Yes/No
Speaking/Non Speaking order
Neutral Citation : Yes/No
sp

To

- 1.The Secretary to Government,
Union of India,
Ministry of Environment, Forest and Climate Change Department,
Indira Paryavaran Bhawan, Jor Bagh, New Delhi – 110 003.
- 2.The Director of Forest Education,
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G.K.ILANTHIRAIYAN. J,

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