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W.P.No.38561 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.11.2025

CORAM:

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

W.P.No.38561 of 2025 and
WMP.No.43107 of 2025

P.Jaganathan

... Petitioner

Vs.

1.THE STATE OF TAMILNADU,
REP, BY ITS ADDITIONAL CHIEF SECRETARY TO
GOVERNMENT, ENVIRONMENT, CLIMATE CHANGE AND
FOREST DEPARTMENT, FORT ST. GEORGE, CHENNAI,
TAMIL NADU STATE- 600 009.

2.THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS AND
HEAD OF FORESTS FORCE, VELACHERY MAIN ROAD, GUINDY,
CHENNAI, TAMIL NADU STATE- 600 032. ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus calling for the entire record which culminated in issuing in GO.(2D) No.171, Environment, Climate Change and Forest (FR.2ii) Department dated 28.08.2023 on the file of the 1st respondent and quash the same with consequential direction to the respondents to notionally regularize the petitioner service by relaxing the rules after completion of ten years from the date of initial appointment as a plot watcher on daily wage basis by extending the

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benefit on par with Junior person namely A.Sanmugavelu as qualifying service for the purpose of getting pension and family pension in the light of Hon'ble Supreme court Judgement delivered in C.A. No.6798 of 2019 dated 02.09.2019 and this court orders passed in W.P. NO.20845 of 2023 dated 03.08.2023 and W.P. (MD). No.12258 and 15339 of 2024 dated 12.06.2024 and 10.07.2024 were complied in G.O. (2D) No.98 dated on 24.09.2024 and G.O. (2D) No.32 and 33 dated on 28.02.2025 and 03.03.2025 of the 1st respondent as per Tamil Nadu Fundamental Rule 27 (17) to confer all consequential pensionary benefits within time frame as fixed by this court.

For Petitioner : M/s.I.Kannapatel

For Respondents : Mr.C.Selvaraj,
Additional Government Pleader

ORDER

This writ petition has been filed challenging the GO.(2D) No.171, Environment, Climate Change and Forest (FR.2ii) Department dated 28.08.2023 on the file of the 1st respondent

2. The petitioner had joined in Tamilnadu Forest Subordinate Service in temporary capacity as Watcher on fulltime daily wage basis on 09.07.1978 and he was paid from contingencies in the State Government

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Funds. Initially he was appointed as Plot Watcher and not absorbed as Forest Watcher. After rendering more than three decades of service, he was brought into the regular service in the Watcher from the date of initial appointment. Though he was qualified, he was not appointed as Forest Watcher in the regular time scale of pay on completion of 10 years of service.

3. The petitioner is seeking regularization of his services for pensionary benefits. It is the contention of the writ petitioner that similarly placed persons have been given such benefits as per Government Orders of this Court in W.P.No.19023 of 2021 and the same was accepted by the Government and issued Government Order in G.O.Ms.No.91 Forest Department dated 30.06.2022. Hence, the respondents ought to have considered the claim of the petitioner to regularize his services after completion of ten years from the date of initial appointment as a Plot Watcher on daily wage basis for the purpose of getting pension and family pension in the light of the judgment of the Apex Court in C.A.No.6798 of 2019 dated 02.09.2019 and Order in W.P.No.19023 of 2021 dated 09.09.2021. As per the said Orders, the relief has been extended to similarly placed persons.

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4. Further, this issue was already dealt with by this Court in WP.No.21965 of 2023, etc batch dated 03.08.2023, wherein this Court directed the respondents therein to extend the relief that was extended to similarly placed persons.

5. As such, the respondents are directed to consider the case of the petitioner in the light of the judgment of the Apex Court and Orders of this Court and as per the above Government Order, 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 Orders, the Government shall take into consideration the nature of service rendered by the petitioner and also the fact that when similarly placed persons have already been granted the relief, if he is 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 respondents shall extend the benefits as per above Government Order as it is extended to similarly situated persons.



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6. Accordingly, the respondents are directed to regularize the services of the petitioner as Plot Watcher as per the above Government Order as it is extended to similarly situated persons. Such an exercise shall be completed within a period of six months from the date of receipt of a copy of this Order.

7. With the above direction, this Writ Petition is allowed. Consequently, connected miscellaneous petition is closed. No costs.

Neutral citation: Yes/No
Index: Yes/No
Speaking/Non-speaking order
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G.K.ILANTHIRAIYAN, J.

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To

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