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W.P.No.40182 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.10.2025

CORAM:

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

W.P.No.40182 of 2025

1.P.Rajendran
2.P.Komarasamy
3.G.Lingasamy

... Petitioners

Vs.

1.THE STATE OF TAMIL NADU,
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 FOREST AND
HEAD OF FORESTS FORCE, VELACHERY MAIN ROAD,
GUINDY, CHENNAI, TAMIL NADU-600 032. ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents to notionally regularize the petitioners service by relaxing the rules after completion of ten years from the date of initial appointment as a Plot Watcher on daily wage basis on par with Junior Namely Mr.M.Narayanasamy seniority along with regular service as qualifying service for the purpose of getting pension and family pension in the light of Honourable Supreme Court Judgment delivered in C.A. No.6798 of 2019 dated 02.09.2019 and Honourable Madras High Court orders passed



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in W.P. No.21627 of 2021 dated 07.10.2021 and W.P (MD). No.12258 of 2024 dated 12.06.2024 were complied in G.O.(2D) No.127 dated on 03.06.2023 and G.O.(2D) No.33 dated on 03.03.2025 of the 1st respondent as per Tamil Nadu Fundamental Rule 27(17) to Confer all consequential pensionary benefits by the way of our common representation to the respondents within time frame as fixed by this Court.

For Petitioner : Mr.I.Kanna Patel

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

ORDER

This writ petition has been filed for direction to the respondents to notionally regularize the petitioners' service by relaxing the rules after completion of ten years from the date of initial appointment as a Plot Watcher on daily wage basis on par with Junior Namely Mr.M.Narayanasamy seniority along with regular service as qualifying service for the purpose of getting pension and family pension in the light of Honourable Supreme Court Judgment delivered in C.A. No.6798 of 2019 dated 02.09.2019 and Honourable Madras High Court orders passed in W.P. No.21627 of 2021 dated 07.10.2021 and W.P (MD). No.12258 of 2024 dated 12.06.2024 were complied in G.O.(2D) No.127 dated on 03.06.2023 and G.O.(2D) No.33 dated on 03.03.2025 of the 1st



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respondent as per Tamil Nadu Fundamental Rule 27(17) to Confer all consequential pensionary benefits by the way of our common representation to the respondents within time frame as fixed by this Court.

2. Petitioners had joined in Tamilnadu Forest Subordinate Service in temporary capacity as Watcher on fulltime daily wage basis from the 1978 onwards and they were all paid from contingencies in the State Government Funds. Initially they were appointed as Plot Watcher and absorbed as Forest Watcher. After rendering more than two decades of service, they were brought into the regular service in the post of Plot Watcher from the date of initial appointment.

3. The petitioners are seeking regularization of their services for pensionary benefits for pensionary benefits. It is the contention of the writ petitioners that similarly persons have been given such benefits.

4. In similar issues, the Hon'ble Supreme Court of India held in the case of *Prem Singh Vs State of Uttar Pradesh and others* in C.A.No.6798 of 2019 dated 02.09.2019, wherein the Hon'ble Supreme

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Court of India held as follows:~

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“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.”



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5. Thus, it is clear that the petitioners are also entitled to be regularized in their services from the date on which they complete ten years of service as Plot Watcher for the purpose of getting pension.

6. In view of the above, the respondents are directed to consider the case of the petitioners and pass 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 Order passed in W.P.No.19023 of 2021 dated 09.09.2021, within a period of twelve weeks from the date of receipt of this order.

7. Accordingly, this writ petition is allowed. There shall be no order as to costs.

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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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