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W.P.No.40227 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.10.2025

CORAM

THE HONOURABLE MR.JUSTICE G.K. ILANTHIRAIYAN

W.P.No.40227 of 2025

P.Gunasekaran

: Petitioner

Vs.

1.Government of Tamil Nadu,
rep. By its Additional Chief Secretary to Government,
Environment & Forest Department,
Fort St.George, Chennai 600 009

2.The Principal Chief Conservator of Forests,
(Head of Forest force)
Velachery Main Road, Guindy,
Chennai 32

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue Writ of Mandamus directing the respondents to regularize the petitioner service in the cadre of forest watcher for purpose of getting minimum pension by giving relaxation in respect of height same was done similarly placed persons like petitioner namely I.Alagarasen and 4 others on 08.02.2022 with effect from 24.01.1995 and in the light of the order passed by this Court in W.P. No.23647 of 2013 dated 12.09.2014 same was affirmed by Division Bench in W.A.No.2072 of 2018 dated 11.08.2021 and same was implemented by the 1st Respondent in G.O. (2D) No.09 Environment Climate Change and Forest (FR.2(II) Department dated 08.02.2022 and in the light of order in W.P. Nos.21349 and etc. batch of 2023 dated 03.08.2023 and in the light of order in WP No.34255 of 2023 dated 23.01.2024 within a time limit.



W.P.No.40227 of 2025

For Petitioner : Mr.S.Mani
For Respondents : Mr.C.Selvaraj
Additional Government Pleader

ORDER

This writ petition has been filed for direction directing the respondents to regularize the petitioner service in the cadre of forest watcher for the purpose of getting minimum pension by giving relaxation in respect of height, same was done in the case of similarly placed persons like petitioner, namely I.Alagarasen and 4 others on 08.02.2022 with effect from 24.01.1995 and in the light of the order passed by this Court in W.P.No.23647 of 2013 dated 12.09.2014 same was affirmed by Division Bench in W.A.No.2072 of 2018 dated 11.08.2021 and the same was implemented by the first respondent in G.O.(2D).No.09 Environment, Climate Change and Forest (FR.2(II) Department dated 08.02.2022 and in the light of the order in W.P.No.21349 & etc. batch of 2023 dated 03.08.2023 and in the light of order in W.P.No.34255 of 2023 dated 23.01.2024 within a time limit that may be fixed by this Court.

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



W.P.No.40227 of 2025

WEB COPY

3. The petitioner was appointed as Social Forest Worker/Plot Watcher on daily wage basis in the Forest Department. Thereafter, the Government had drawn the State Wide Seniority list for conferment of permanent status as Forest Watcher. The petitioner was included in the Statewide seniority after 25 years of his service. Without following the seniority list, Government issued G.O.Ms.No.95, Environment and Forest Department dated 07.08.2009 and the petitioner was brought into regular time scale of pay as Plot Watcher on 07.08.2009 that too in a non cadre post and after giving relaxation, he was brought into regular cadre post as Mali, on 06.09.2017. The post to which the petitioner was brought into regular time scale of pay is not a cadre post and it was only a supernumerary post. Therefore, the petitioner submitted representation seeking accommodation in the regular cadre post of Forest Watcher by giving him relaxation with respect to height or age as the case may be, so as to enable the petitioner to get all the consequential benefits.

4. Similarly placed persons were granted relief in W.P.No.23647 of 2013 dated 12.09.2014. The said order was also confirmed by the Hon'ble Division Bench of this Court in W.A.No.2072 of 2018 dated 11.08.2021. In fact, the said order was duly complied with by issuance of G.O.(2D).No.09 Environment,



W.P.No.40227 of 2025

Climate Change and Forest (FR.2(II) Department dated 08.02.2022. However, the representation of the petitioner is not considered so far.

5. In similar matters, this Court considered the similar request in

W.P.Nos.21349 of 2023 and 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 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.”



W.P.No.40227 of 2025

WEB COPY

6. In view of the above, the respondents are directed to consider the representation submitted by petitioner dated 07.01.2025 and pass orders on merits and in accordance with law, in the light of the order passed in ***W.P.Nos.21349 of 2023 and batch*** dated ***03.08.2023***, as the benefits have been extended to similarly placed persons, within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the above directions, this writ petition is disposed of. There shall be no order as to costs.

28.10.2025

Speaking (or) Non Speaking Order
Neutral Citation: Yes/No
mrn

To

- 1.Additional Chief Secretary to Government,
Environment & Forest Department,
Fort St.George, Chennai 600 009
- 2.The Principal Chief Conservator of Forests,
(Head of Forest force)
Velachery main Road, Guindy,
Chennai 32



WEB COPY



W.P.No.40227 of 2025

G.K. ILANTHIRAIYAN, J.

(mrn)

W.P.No.40227 of 2025

28.10.2025