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W.P.No.40231 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.10.2025

CORAM

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

**W.P.No.40231 of 2025**

**and**

**WMP.No.45175 of 2025**

S.Madhappan

... Petitioner

**Vs.**

1. Government of Tamil Nadu,  
Rep. by its Additional Chief Secretary to Government,  
Environment, Climate Change and Forest Department,  
Fort St. George, Chennai 600 009.

2. The Principal Chief Conservator of Forests,  
(Head of Forest Force),  
Velachery Main Road, Guindy,  
Chennai 600 032.

...Respondents

**Prayer:-** Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Certiorarified Mandamus, call for the records in G.O (2D) No 119 Environment, Climate Change and Forests (FR.2ii) Department Dated 23.10.2024 on the file of the First Respondent and quash the same in so far as regularization of the petitioner service with effect from 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 purpose of getting



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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. 2.II) Department dated 14.11.2022 within time limit to be stipulated by this Hon'ble Court and in the light to the orders passed in W.P. No 9024 of 2025 dated 07.04.2025.

For Petitioners

: Mr.S.Mani

For Respondents

: Mr.C.Selvaraj, AGP.

### **ORDER**

Heard Mr. S.Mani, learned counsel for the petitioner and Dr.T.Seenivasan, learned Special Government Pleader appearing for the respondents and perused the materials placed on record, apart from the pleadings.

2. This Writ Petition has been filed challenging the orders dated 23.10.2024 insofar as the regularization of the petitioner's service is concerned, with effect from 24.01.1995 instead of 08.03.1999.

3. The petitioner was working in the Forest Department, prior to his regularization of service, he was engaged on a daily wage basis for more



than two decades as plot watcher. Thereafter, he was brought into the regular time scale of pay as Forest Watcher and subsequently, he was promoted as Forest Guards. Further, in order to rehabilitate him and ensure that his services were regularized, a statewide seniority list was prepared by the Government in a phased manner, so as to enable him to get his services regularized in a phased manner with reference to the initial date of joining on a wage basis from the category of Plot Watchers to Forest Watchers. The petitioner was included in the seniority list. Accordingly, his services were regularized after rendering several years. He was regularized as per his order of seniority for the reason that, in the year 1994, the original rule prescribed that only those able to read and write in Tamil were eligible for the post of Forest Watcher from the post of Plot Watcher. However, by overriding this rule, G.O. (Ms) No. 332, Environment and Forests (FR. VI) Department, dated 22.12.1994 was passed, and thereby imposed conditions, i.e., possession of a minimum general education qualification of SSLC for the post of Forest Watcher. However, the Rule was not amended to that effect.

4. Accordingly, overlooking seniority, 425 plot watchers were given appointment to the post of Forest Watchers on a regular time scale post on



24.01.1995. Therefore, as per seniority, the qualified plot watchers filed Original Application in O.A. No. 197 of 1995, etc., batch and obtained an interim stay of the above G.O. (Ms) No. 332, Environment and Forests (FR. VI) Department, dated 22.12.1994. However, 175 persons joined the post of Forest Watchers as per their qualification of SSLC.

5. While that being so, G.O. (Ms) No. 64, Environment and Forests (V2) Department, dated 08.03.1999, cancelled the Government Order impugned in the original application, G.O. (Ms) No. 332, Environment and Forests (FR. VI) Department, dated 22.12.1994. Therefore, the original position was restored, and as such, the first respondent ought to have brought the petitioner into the regular time scale post as Forest Watchers from the cadre of plot Watchers as per his seniority. However, the services of the petitioner was regularized only from the year 2014 onwards. Therefore, he filed Writ Petitions before this Court seeking to confer upon him notional regularization in the cadre of the post of Forest Watchers on par with his juniors with effect from 24.01.1995. The batch of Writ Petitions was allowed, and direction was given to grant notional regularization on par with his juniors. On the basis of the said orders, the petitioner was given notional regularization in the cadres of Forest



Watchers on par with his juniors only with effect from 08.03.1999 instead of 24.01.1995, for the reason that the rule was restored only by way of G.O. (Ms) No. 64, Environment and Forests (V2) Department, dated 08.03.1999.

6. The learned Additional Government Pleader appearing for the respondents submitted that, as per G.O. (Ms) No. 332, Environment and Forests (FR. VI) Department, dated 22.12.1994, Plot Watchers/Village Social Forestry Workers were appointed to the post of Forest Watchers subject to the condition that the individuals must possess a minimum general education qualification or higher qualification for appointment as Forest Watchers. Accordingly, 425 Plot Watchers who possessed the minimum general qualification, i.e., SSLC, were promoted as Forest Watchers. Thereafter, by way of G.O. (Ms) No. 64, Environment and Forests (V2) Department, dated 08.03.1999, the condition was cancelled with effect from 08.03.1999. Therefore, the petitioner was regularized only from the date of the said Government Order, i.e., on 08.03.1999.

7. As rightly pointed out by the learned counsel for the petitioner, 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 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, the petitioner is qualified and eligible for the post of Forest Watchers.



9. As per seniority, his 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 petitioner is also entitled to be posted to the post of Forest Watchers on par with his 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 Order in G.O (2D) No 119 Environment, Climate Change and Forests (FR.2ii) Department Dated 23.10.2024 is quashed, insofar as the regularization of the petitioner service with effect from 24.01.1995 instead of 08.03.1999. The respondents are directed to notionally regularize the petitioner as Forest Watchers with effect from 24.01.1995, for the purpose of revised pension, on par with his 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.



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11. In the result, these Writ Petition is allowed. Consequently,  
connected Miscellaneous Petition is closed. No costs.

**29.10.2025**

Index : Yes/No  
Speaking Order: Yes/No  
Neutral Citation : Yes/No  
(shr)

To

1. Government of Tamil Nadu,  
Rep. by its Additional Chief Secretary to Government,  
Environment, Climate Change and Forest Department,  
Fort St. George, Chennai 600 009.

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