



WEB COPY



W.P.No.44910 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.11.2025

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

**W.P.No.44910 of 2025
and W.M.P.No.50101 of 2025**

S.Vijaya

..... Petitioner

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 &
Head of Forest Force,
Velachery Main Road,
Guindy, Chennai,
Tamil Nadu State – 600 032.

..... Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the entire records which culminated in issuing in Ref.No.HOTNFD/LL1/14030/ 2025 dated 18.09.2025 on the file of the 2nd respondent and quash the same with consequential directing the respondents to retrospectively appoint the petitioner's husband in the cadre post of Forest Watcher or Night Watchman by giving the benefit of relaxation of height rule with effect from the date of the petitioner's Husband



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Junior in SWSL.No.1512 namely R.Karuppanan served as Night Watchman appointment notionally in the post of Forest Watcher on 24.01.1995 in the light of the order passed in W.P.No.9708 of 2014 dated 12.09.2014, W.A.No.1703 of 2014 dated 20.01.2015 SLP (Civil) No.12056 of 2015 dated 05.07.2016 and G.O. (Ms)No.49, Environment and Forests (FR2-II) Department dated 01.09.2020 and also W.P.No.15847 of 2021, Cont.P.No.361 of 2022 complied in the G.O.(Ms) No.58 of the 1st respondent dated 20.04.2022 and W.P.No.8069 of 2024 dated 25.03.2024 and Rule 27(17) of the Tamil Nadu Fundamental Rules with all consequential benefits within time frame as fixed by this Hon'ble Court.

For Petitioner : Mr.I.Kanna Patel

For Respondents : Mr.C.Selvaraj
Additional Government Pleader

ORDER

This writ petition has been filed for the issuance of Writ of Certiorarified Mandamus, calling for the entire records which culminated in issuing in Ref.No.HOTNFD/LL1/14030/ 2025 dated 18.09.2025 on the file of the 2nd respondent and quash the same with consequential directing the respondents to retrospectively appoint the petitioner's husband in the cadre post of Forest Watcher or Night Watchman by giving the benefit of relaxation of height rule with effect from the date of the petitioner's Husband Junior in SWSL.No.1512 namely R.Karuppanan served as Night Watchman appointment notionally in the post of Forest Watcher on 24.01.1995 in the light of the order passed in W.P.No.9708 of



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20147 dated 12.09.2014, W.A.No.1703 of 2014 dated 20.01.2015 SLP (Civil)

No.12056 of 2015 dated 05.07.2016 and G.O.(Ms)No.49, Environment and Forests (FR2-II) Department dated 01.09.2020 and also W.P.No.15847 of 2021, Cont.P.No.361 of 2022 complied in the G.O.(Ms) No.58 of the 1st respondent dated 20.04.2022 and W.P.No.8069 of 2024 dated 25.03.2024 and Rule 27(17) of the Tamil Nadu Fundamental Rules with all consequential benefits within time frame as fixed by this Hon'ble Court.

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

3. 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



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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. ”

4. In view of the above, the respondents are directed to consider the representation submitted by the petitioner, in the light of the above 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.

5. With the above directions, this writ petition is disposed of. Consequently, connected Miscellaneous petition is closed. There shall be no order as to costs.

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Internet : Yes/No

Index: Yes/No

Speaking Order/Non Speaking Order

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To

1. The Additional Chief Secretary to Government,
The State of Tamil Nadu,
Environment, Climate Change and Forest Department,
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2. The Principal Chief Conservator of Forest &
Head of Forest Force,
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