



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 12-11-2025**

CORAM

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

**WP No. 43863 of 2025**

**and**

**WMP No.48977 of 2025**

A.Thirumalai

Petitioner

Vs

1. Government Of Tamil Nadu  
Rep. By Its Principal Secretary To  
Government Environment And Forests (FR-2)  
Department, Secretariat, 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 calling for the entire records which culminated in issuing order passed by the 1st respondent in Letter No.21397/ FR.2(II) / 2016-4 dated 03.03.2017 and quash the same in so far as denial of monetary benefits for working period as forest watcher is concerned and directing the first respondent to pay monetary benefits from date of joining as forest watcher from 12.11.2010 till 03.03.2017 as per Tamil Nadu Fundamental Rule 27(17) and light of the order passed in W.P. No.23478 of 2023 dated 27.03.2024 same was implemented by the 1st respondent in G.O. (2D) No.55, Environment, Climate Change and Forests (FR.2(ii)) Department dated 26.03.2025.



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WP No. 43863 of 2025



For Petitioner(s): Mr.S.Mani

For Respondent(s): Mr.C.Selvaraj, AGP

### **ORDER**

This writ petition has been filed challenging the order passed by the first respondent dated 03.03.2017, thereby rejected the request made by the petitioner seeking monetary benefits from the date of his joining as Forest Watcher.

2. The petitioner was employed in the Forest Department as a Forest Guard. Prior to the regularization of his service, he had been engaged on a daily-wage basis. Subsequently, he was brought into the regular time scale of pay as a Forest Watcher, which is a cadre post. Thereafter, pursuant to the directions of this Court, the petitioner's service was regularized as Forest Watcher with effect from 12.11.2010.

3. The specific case of the petitioner is that he has joined in the forest department on 01.09.1984 on daily wages. The petitioner and his juniors were included in the State wide seniority list drawn by the department by taking note of their date of joining in service on daily basis for bringing them into regular scale of pay of Forest Watcher. However, the seniority list was not maintained properly and the services of their juniors have been regularized on 24.01.1995.



Therefore, the petitioner and others submitted representation and it was not considered as such, they were constrained to approach this Court in W.P.No.3040 of 2014, and the same was allowed by this Court by an order dated 03.02.2014 and directed to regularize their services on par with juniors.

4. As directed by this Court, the government issued order vide letter No.21397/FR.2(II)/2016-4, dated 03.03.2017, thereby regularizing the petitioner and others' services notionally from 24.01.1995 however granted monetary benefits from the date of issue of the order. It is contrary to the fundamental rules and they are entitled to get monetary benefits with effect from the date of joining as Forest Watcher as per F.R.27(17) of the Tamil Nadu Fundamental Rules. It is relevant to extract the F.R. 27(17) of the Tamil Nadu Fundamental Rules, as follows:-

*“In case, where a government servant has been overlooked for promotion/appointment to the next higher post but subsequently promoted/appointed to that higher post after restoration of his original seniority on appeal, his pay shall be fixed on the date of assumption of charge in the higher post on par with the pay of his junior provided he has not drawn the same rate of pay as junior in the lower post from time to time. If he has not drawn the same rate of pay as*





been discharged his duty as Forest Watcher from the date on which he notionally regularized as Forest Watcher. Only from the date of his joining as Forest Watcher, he discharged his duty as Forest Watcher. Therefore, F.R.27(17) cannot be pressed into service in this case.

7. Heard, the learned counsel appearing on either side and perused the materials placed before this Court.

8. On perusal of records, it is revealed that the petitioner is seeking monetary benefits only from the date of his joining as Forest Watcher, as per F.R.27(17) of the Tamil Nadu Fundamental Rules and in light of the order passed by this Court in WP.No.23478 of 2023 dated 27.03.2024. In fact, the seniority has already been fixed and the petitioner's service was duly regularized on par with his juniors. That apart, pursuant to the order passed in WP.No.23478 of 2023 dated 27.03.2024, a similarly placed person has been granted such benefits as per G.O.(2D) No.55, Environment, Climate Change and Forests (FR.2(ii)) Department, dated 26.03.2025. Therefore, the petitioner is also entitled to monetary benefits from the date of his joining as Forest Watcher.

9. In view of the above, the impugned order cannot be sustained and it is liable to be quashed. Accordingly, the order dated 03.03.2017, passed by the



first respondent in Letter No.21397/FR.2(II)/2016-4, dated 03.03.2017 is hereby quashed. The petitioner is entitled for monetary benefits only from the date of his joining as Forest Watcher. The respondents 1 & 2 are directed to pay monetary benefits to the petitioner from the date of his joining as Forest Watcher viz.,12.11.2010 till 03.03.2017, within a period of twelve weeks from the date of receipt of a copy of this Order.

10. With the above directions, the Writ Petition stands allowed. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

Shr

**12-11-2025**

Index:Yes/No  
Speaking/Non-speaking order  
Internet:Yes  
Neutral Citation:Yes/No

To

1.Government Of Tamil Nadu  
Rep. By Its Principal Secretary To  
Government Environment And Forests  
(FR-2) Department, Secretariat,  
Chennai-600 009.

2.The Principal Chief Conservator Of  
Forests  
(head Of Forest Force), Velachery  
Main Road, Guindy, Chennai-600 032.



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**G.K.ILANTHIRAIYAN J.**

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