



W.P.No.44279 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.11.2025

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.44279 of 2025
and
W.M.P.No.49393 of 2025

K.Kalimuthu

... 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 – 600 009.

2.The Principal Chief Conservator of Forests & Head of Forest Force,
Velachery Main Road, Guindy,
Chennai, Tamil Nadu – 600 032.

... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, calling for the entire records which culminated in issuing in Ref.No.LL1/35953/2023 dated 28.07.2024 on the file of the 2nd respondent and quash the same with consequential direction to the respondents to notionally regularize the petitioners service by relaxing the rules after completion of ten years from date of initial appointment as a Plot Watcher on daily wage basis on par with Junior Namely Mr.M.Karunanidhi, seniority along with regular service as qualifying service for the purpose of getting pension and family pension in the light of Hon'ble Supreme Court Judgment delivered in C.A.No.6798 of 2019 dated 02.09.2019 and Hon'ble Madras High Court orders passed in W.P.No.21627 of



W.P.No.44279 of 2025

2021 dated 07.10.2021, W.P.(MD)No.15339 of 2024 dated 10.07.2024, W.P.No.19605 of 2024 dated 15.07.2024 and W.P.No.18079 of 2019 dated 19.11.2024 were complied in G.O.(2D)No.127 dated on 03.06.2023, G.O.(2D).No.32 dated on 28.02.2025 and G.O(2D)No.65 dated 21.04.2025 respectively of the 1st Respondent as per Tamil Nadu Fundamental Rule 27(17) to Confer all Consequential pensionary benefits within time frame as fixed by this Court.

For Petitioner : Mr.I.Kannapatel
For Respondents : Dr.T.Seenivasan
Special Government Pleader

ORDER

This writ petition has been filed seeking a Writ of Certiorarified Mandamus, to call for the entire records which culminated in issuing in Ref.No.LL1/35953/2023 dated 28.07.2024 on the file of the 2nd respondent and quash the same with a consequential direction to the respondents to notionally regularize the petitioner's service by relaxing the rules after completion of ten years from date of initial appointment as a Plot Watcher on daily wage basis on par with Junior Namely Mr.M.Karunanidhi, seniority along with regular service as qualifying service for the purpose of getting pension and family pension in the light of Hon'ble Supreme Court Judgment delivered in C.A.No.6798 of 2019 dated 02.09.2019 and Hon'ble Madras High Court orders passed in W.P.No.21627 of 2021, dated 07.10.2021, W.P.(MD)No.15339 of 2024, dated 10.07.2024, W.P.No.19605 of 2024, dated 15.07.2024 and W.P.No.18079 of



W.P.No.44279 of 2025

2019, dated 19.11.2024 were complied in G.O.(2D)No.127 dated 03.06.2023, G.O.(2D).No.32 dated 28.02.2025 and G.O(2D)No.65 dated 21.04.2025 respectively of the 1st respondent as per Tamil Nadu Fundamental Rule 27(17) to confer all consequential pensionary benefits within time frame as fixed by this Court.

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

3. When the matter was taken up for hearing today, the learned counsel appearing for the petitioner submitted that the issue involved in this writ petition is no longer *res-integra* and a similar issue has already been decided by the Hon'ble Supreme Court in the case of ***Prem Singh Vs State of Uttar Pradesh and others*** in ***C.A.No.6798 of 2019*** dated 02.09.2019. Following the same, this Court has passed several orders in W.P.No.21627 of 2021, dated 07.10.2021, W.P.(MD)No.15339 of 2024, dated 10.07.2024, W.P.No.19605 of 2024, dated 15.07.2024, and W.P.No.18079 of 2019, dated 19.11.2024. Therefore, he submitted that the same order may be passed in this petition as well.



W.P.No.44279 of 2025

4. The Hon'ble Supreme Court in the case of ***Prem Singh Vs State of Uttar Pradesh and others*** in ***C.A.No.6798 of 2019 dated 02.09.2019***, has held as follows:-

“ 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.”

5. Thus, it is clear that the petitioner is also entitled to be regularized in his service from the date on which he completes ten years of service as Plot Watcher for the purpose of getting pension.

6. In view of the above, the impugned letter issued by the 2nd respondent in Ref.No.LL1/35953/2023 dated 28.07.2024 is hereby quashed. The



W.P.No.44279 of 2025

respondents are directed to consider the representation of the petitioner, dated 24.07.2023 and pass appropriate 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 orders passed in W.P.No.21627 of 2021, dated 07.10.2021, W.P. (MD)No.15339 of 2024, dated 10.07.2024, W.P.No.19605 of 2024, dated 15.07.2024 and W.P.No.18079 of 2019, dated 19.11.2024, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

7. In the result, this writ petition stands allowed. No costs. Consequently, the connected miscellaneous petition is closed.

17.11.2025
(6/8)

Index : Yes/No
Speaking/Non Speaking order
Neutral Citation : Yes/No
sp

To

- 1.The Additional Chief Secretary to Government,
Environment, Climate Change and Forest Department,
Fort St.George, Chennai, Tamil Nadu – 600 009.
- 2.The Principal Chief Conservator of Forests & Head of Forest Force,
Velachery Main Road, Guindy,
Chennai, Tamil Nadu – 600 032.



WEB COPY



W.P.No.44279 of 2025

G.K.ILANTHIRAIYAN. J,

sp

W.P.No.44279 of 2025

17.11.2025
(6/8)