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W.P.No.44298 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.11.2025

CORAM:

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

W.P.No.44298 of 2025
and
W.M.P.No.49407 of 2025

P.Rajagopal

...Petitioner

-Vs-

1.The State of Tamil Nadu,
represented by its Additional Chief Secretary to Government,
Environment, Climate Change and Forest Department,
Fort St.George,
Chennai-600009.

2. The Principal Chief Conservator of Forests,
(Head of Forest Force),
Forest Head Quarters Building
Guindy - Velachery Main Road,
Guindy, Chennai-32.

... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, to call for the records in GO (2D) No. 35 Environment, Climate change and Forest (FR.2(ii)) Department dated 01.04.2024 on the file of the 1st respondent and to quash the same and consequently directing the respondents to regularize the petitioner's service in the cadres post of Forest Watchers on par with their junior P.Karuppaiyan with effect from 24.01.1995 in the light of the order passed by this court in WP No. 15561 of 2006 dated 10.03.2008 , WA No. 690 of 2008 dated 13.10.2009, WP No. 23374 of 2008 dated 30.10.2009 , WA No. 607 of
Page 1 of 6



W.P.No.44298 of 2025

2010 dated 29.03.2010 and proceedings of the 2nd respondent dated 07.01.2011 and order in WP No. 18771 of 2019 dated 30.08.2019 and extent the benefit of the order passed by the 1st respondent in GO (2D) No. 177 Environment, Climate Change and Forest (F.2 (ii)) Department, dated 14.11.2022 within time frame.

For Petitioner : Mr.K.Jenitha

For Respondents : Mr.C.Selvaraj
Additional Government Pleader

ORDER

This writ petition has been filed calling for the records in GO (2D) No. 35 Environment, Climate change and Forest (FR.2(ii)) Department dated 01.04.2024 on the file of the 1st respondent and to quash the same and consequently directing the respondents to regularize the petitioner's service in the cadres post of Forest Watchers on par with their junior P.Karuppaiyan with effect from 24.01.1995 in the light of the order passed by this court in WP No. 15561 of 2006 dated 10.03.2008 , WA No. 690 of 2008 dated 13.10.2009, WP No. 23374 of 2008 dated 30.10.2009 , WA No. 607 of 2010 dated 29.03.2010 and proceedings of the 2nd respondent dated 07.01.2011 and order in WP No. 18771 of 2019 dated 30.08.2019 and extent the benefit of the order passed by the 1st respondent in GO (2D) No. 177 Environment, Climate Change and Forest (F.2 (ii)) Department, dated 14.11.2022.



W.P.No.44298 of 2025

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

3. The case of the petitioner is that the petitioner had joined the service of the Forest Department on 01.06.1983 on daily wage basis. The name of the petitioner and his juniors were included in the State wide Seniority list drawn by the Department, by taking note of the date of joining the service on daily wage basis for bringing them into regular time scale of pay as Forest Watcher. However, without following the said seniority list in its letter and spirit, the service of many persons who are juniors to the petitioner have been regularized and they were given time scale of pay in the cadre post of Forest Watcher. His juniors were regularized from the daily wage basis to Forest Watcher on 24.01.1995, whereas even though the petitioner is senior to them, his service was regularized after a period of more than two decades of service. Though the petitioner is qualified with SSLC and was given regular time of appointment as Forest Watcher in the year 1995, the petitioner could not join the regular post of Forest Watcher, in view of the interim order granted by the Tamil Nadu Administrative Tribunal. In order to wriggle out of the situation, the Government passed an order in G.O.Ms.No.64, Environment and Forest Department dated 08.03.1999, whereby G.O.Ms.No.332, Environment and Forest Department dated 22.12.1994 was superseded or revoked. Therefore, the

Page 3 of 6



W.P.No.44298 of 2025

qualification of SSLC for appointment to the post of Plot Watcher is no longer in existence.

4. Similarly placed persons like the petitioner filed writ petitions in W.P.Nos.15561 of 2006 and 23374 of 2008 before this Court and the writ petitions were disposed of with a direction to consider their claim for appointment as Forest Watcher on par with their juniors. Aggrieved over the said order, the respondents filed writ appeals in W.A.Nos.690 of 2008 and 607 of 2010 and both the appeals were dismissed. In view of the above said orders, the petitioner also filed representation.

5. In view of the above, the impugned order cannot be sustained and is liable to be quashed. Accordingly, G.O.(2D).No.35, Environment, Climate Change and Forests (FR.2ii) Department, 01.04.2024, is hereby quashed. the respondents are directed to consider the case of the petitioner seeking regularization of his service as Forest Watcher from 24.01.1995 notionally for the purpose of getting pension by taking into account their seniority and qualification and pass orders on merits and in accordance with law, in the light of the orders passed in W.P.No.15561 of 2006 dated 10.03.2008, W.A.No.690 of 2008 dated 13.10.2009, W.P.No.23374 of 2008 dated 30.10.2009, W.A.No.607 of 2010 dated 29.03.2010 and proceedings of the second respondent dated



W.P.No.44298 of 2025

07.01.2011 and order in W.P.No.19020 of 2021 dated 09.09.2021, within a period of twelve weeks from the date of receipt of a copy of this order.

6. Accordingly, this writ petition is allowed. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

14.11.2025
(1/2)

Internet: Yes
Index : Yes/No
Speaking/Non Speaking order
Lpp

To

1. The Additional Chief Secretary to Government,
Environment, Climate Change and Forest Department,
Fort St.George,
Chennai-600009.
2. The Principal Chief Conservator of Forests,
(Head of Forest Force),
Forest Head Quarters Building
Guindy - Velachery Main Road,
Guindy, Chennai-32.
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