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WA No. 1478 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-06-2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE N.SENTHILKUMAR

WA No. 1478 of 2026

AND

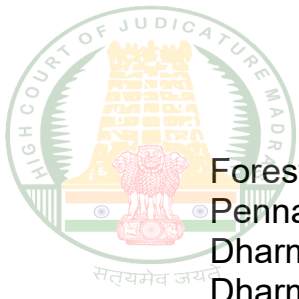
CMP NO. 13573 OF 2026

1. State of Tamil Nadu,
Rep By Its Principal Secretary To Government,
Environment , Forest And Climate Change
Department, Fort St. George, Chennai- 600
009.
2. The Principal Chief Conservator of Forests,
Head of Forest Force,
No.1, Genies Road,
Panagal Maligai, Saidapet, Chennai - 15.
3. The District Forest Officer,
Dharmapuri Forest Division,
Dharmapuri-5, Dharmapuri District.
4. The District Forest Officer,
Hosur Forest Division,
Hosur, Krishnagiri District.

..Appellant(s)

Vs

1. K.Mari,
Forest Watcher (Rtd),
Dharmapuri Forest Range, Dharmapuri Forest
Division, Dharmapuri District.
2. M.Vajjiravel,
Forest Watcher(Rtd.)
Pennagram Forest Range,
Dharmapuri Forest Division,
Dharmapuri District.
3. P.Govindan,



Forest Watcher (Rtd),
Pennagram Forest Range,
Dharmapuri Forest Division,
Dharmapuri District.

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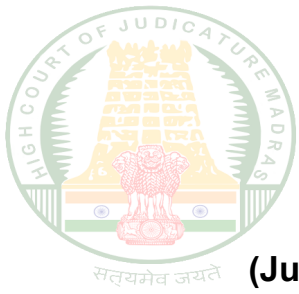
4. R.Narayanan,
Forest Watcher (Rtd),
Dharmapuri Forest Range,
Dharmapuri Forest Division,
Dharmapuri District.
5. A.Chinnaraj,
Forest Watcher (Rtd),
Pennagram Forest Range,
Dharmapuri Forest Division,
Dharmapuri District.
6. The Accountant General of Tamil Nadu,
Office of The Accountant General,
Anna Salai, Teynampet,
Chennai- 18.

..Respondent(s)

Appeal filed under Clause 15 of the Letters Patent to set aside the order dated 07-08-2023 made in WP.No.19411 of 2023.

For Appellant(s): Dr.R.Gouri,
Government Counsel

For Respondent(s): Mr. M.R. Jothimanian
For RR1 To 5



Judgment

(Judgment of the Court was delivered by S.M.Subramaniam J.)

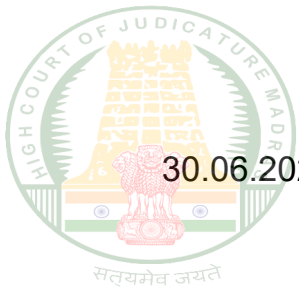
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This intra Court appeal is directed against the order passed by the Writ Court dated 07.08.2023 made in W.P.No.19411 of 2023.

2. The respondents/writ petitioners were appointed as Plot Watchers on 01.12.1986, 16.08.1982, 01.05.1983, 01.08.1983 & 01.01.1986 respectively on a daily wage basis. They have rendered service for more than 34 & 35 years in the forest department, however, their service have been regularised only after 01.04.2003. Although the writ petitioners' name were included in the State Wide Seniority list drawn for the year 1999, the same was not considered for regularisation of service.

3. It is the case of the respondents/writ petitioners that since their service have been regularised only after 01.04.2003, they stand disqualified from claiming pensionary benefits, but their juniors who have been regularised before 01.04.2003 are getting pensionary benefits.

4. They further contended that similarly placed persons have already filed a Writ Petition in W.P.No.19023 of 2021 and the same was allowed, pursuant to comply with the said order in W.P.No.19023 of 2021, a Government Order was issued in G.O.[2D] No.91 Forest Department dated



30.06.2022.

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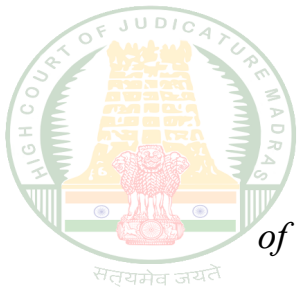


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5. In light of the above said order, no such benefit has been extended to the respondents/writ petitioners herein. Consequently, they approached the writ court.

6. However, the writ court passed an order in W.P.No.19411 of 2023 & batch dated 07.08.2023, against the appellants/respondents, with the following directions, which are usefully extracted hereunder:

“7. In such view of the matter, the respondents are directed to consider the case of the petitioners in the light of the judgment of the Apex Court and Orders of this Court and as per the above Government Order, 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 1 and 2 and the husband of the third petitioner 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 Order as it is extended to similarly situated persons.



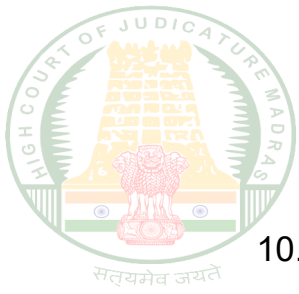
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8. *As far as the Writ Petitions in W.P.Nos.9835 & 19135 of 2021 and W.P.No. 19411 of 2023 are concerned, the respondents are directed to extend the benefits to the petitioners and insofar as Writ Petitions in W.P.Nos.30267 of 2022 and 19406 of 2023 are concerned, the respondents are directed to regularize the services of the first petitioner and husband of the petitioners 2 to 4; petitioners 1 & 2 and husband of the third petitioner respectively as Plot Watchers as per the above Government Order as it is extended to similarly situated persons. Such an exercise shall be completed within a period of six months from the date of receipt of a copy of this Order.”*

7. Aggrieved over the same, this Writ Appeal has been filed, challenging the said order.

8. Regarding the issue of Regularisation of the Plot Watchers who have rendered decades of service, we are of the view that it is no longer res integra, as numerous orders have been passed by this Court and implemented by the Government. To deny the respondents, the same relief granted to his juniors and other similarly situated persons would amount to discrimination and a violation of Article 14 of the Constitution of India

9. In such circumstances, the benefit claimed by the respondents herein cannot be denied. Therefore, as the benefit accrued for them has been denied, the learned Writ Court has rightly interfered.



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10. In view of the same, we do not find any infirmity in the impugned

order passed by the writ Court and the Writ Appeal is devoid of merits.

11. It is hereby directed that the Principal Chief Conservator of Forests shall comply with the Government Order and pass necessary orders to that effect regularising the service of the respondents as Plot Watchers as per the Government order as it was extended to the similarly placed persons along with same benefits, within a period of two months from the date of receipt of a copy of this order.

12. With the above directions, this Writ Appeal is dismissed. No costs.

Consequently, connected miscellaneous petition is closed.

(S.M.S.,J.) (N.S.,J.)
05-06-2026

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

VSI

To

1. The Accountant General of Tamil Nadu,
Office of The Accountant General,
Anna Salai, Teynampet,
Chennai- 18.



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**S.M.SUBRAMANIAM J.
AND
N.SENTHILKUMAR J.**

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