



WEB COPY

WP No. 5188 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-02-2026

CORAM

THE HONOURABLE MR JUSTICE M.DHANDAPANI

WP No. 5188 of 2026

R.Sampath

Petitioner(s)

Vs

1. The Government Of Tamil Nadu
Rep By Its Additional Chief Secretary To
Government,
Environment, Climate Change and Forest
Department, Fort St. George, Chennai 600 009

2.The Principal Chief Conservator of Forests
(Head of Forest Force) State Forest Headquarters,
Guindy-velachery Main Road,
Near Kanigapuram Check Post,
Guindy, Chennai 600- 032

3.The Deputy Conservator of Forest
State Forest Research Division,
Kollapakkam, Chennai 600 127

4.The Accountant General of Tamil Nadu
Office Of The Accountant General (A And E)
Teynampet, Chennai 18.

Respondent(s)

PRAYER; This writ petition is filed under Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for records in connection with impugned order passed by the 2nd Respondent in Ref. No.PEN1/15380/2025, dated 01.12.2025 and quash the same as illegal arbitrary and unenforceable, consequently direct the respondents 1 to 4 to grant pensionary benefits from date of the petitioner retirement on the basis of similar and juniors persons seniority in the light of the order similar order implemented in G.O (2D) No.33



Environment, Climate Change and Forest (FR II) Department dated 03.03.2025 to similar placed persons, for confer all consequential retirement and pensioner benefits to the petitioner and same was sent a proposal of the 4th respondent and grant such other relief as deems fit to this Honble Court under the circumstance of case.

For Petitioner(s): M/s.P.Ganapathy
For Respondent: Mr.C.Selvaraj, AGP RR1 to 3
Mr.L.Murali Krishna R4

ORDER

Seeking to treat his service rendered on delay wage basis between 1980 and 2009 as half service, the petitioner has filed this writ petition.

2. According to the petitioner, he was initially appointed as Plot Watcher on 01.04.1980 through employment exchange. Later, the petitioner worked as daily wages from 01.04.1980 to 06.08.2009. Subsequently, his service was regularized as Supernumerary Plot Watcher as per the Government Order. The petitioner initially filed a writ petition in W.P.No.27845 of 2025 seeking direction upon to the respondent to count half of his service rendered as Plot Watcher on daily wage basis from 01.10.1980 till 06.08.2009 along with regular service for calculating retirement and pensionary benefits. The said writ petition was disposed of by this Court vide order dated 30.07.2025 directing the respondents to consider the representation submitted by the petitioner and pass orders within a period of eight weeks. By way of impugned order dated



01.12.2025, the respondents have rejected the prayer made by the petitioner. Challenging the said order, the present writ petition has been filed.

3. Heard both sides and perused the materials available on record.

4. The respondent has rejected the prayer made by the petitioner for calculation of pension as daily wages as half of his service. By observing that the half of the service rendered by the petitioner on temporary basis cannot be calculated for pensionary benefits as per the Tamil Nadu Pension Rules 1978. The service of the petitioner cannot be regularized from initial date of the appointment as his service was regularized as per the Government policy decision vide G.O.Ms.No.22, Personnel and Administrative Reforms (F) Department dated 28.02.2006. The respondent has also observed that the service of the petitioner was regularized as per the Government Policy decision vide G.O.Ms.22.

5. This court is in complete agreement for negating the claim made by the petitioner. There is no provision in the Tamil Nadu Pension Rules to calculate the service rendered by the worker as daily wages and count it as



half service of pensionary and retirement benefits. The prayer of the petitioner is against the pension Rules. Moreover, the petitioner was appointed only as per the Government Policy. It was not a appointment made against the sanctioned post recruited by following the due selection process. Therefore, there is no merit in the prayer made by the petitioner.

6. In the result, the writ petition is dismissed. No costs.

23-02-2026

rli

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

To

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Rep By Its Additional Chief Secretary To
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009

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