



W.P.No.7356 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 10.03.2026

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THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No. 7356 of 2026

G.John Anthony

...petitioner

Vs.

1.The Government of Tamil Nadu,
Rep. by it's Principal Secretary,
Environment, Climate Change and Forest Department,
Fort St. George,
Chennai- 600 009.

2.The Principal Chief Conservator of Forests,
Head of Forest Department,
Guindy -Velachery Main Road,
Near Kannigapuram Check Post
Guindy,
Chennai- 600 032.



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3.The District Forest Officer,
Dharmapuri Forest Division,
Dharmapuri District-05.

...respondents

Prayer: Writ Petition is filed under Section 226 of the Constitution of India for issue of Writ of Certiorarified Mandamus, to call for the records pertaining to order passed by the 2nd respondent vide his proceedings in Proc.No.S2/9774/2022 dated 07.10.2024 and to quash the same as illegal, and consequently direct the 2nd respondent to regularize the petitioner's service from date of completion of 10 years i.e., 01.05.2003, with all service and monetary benefits as per the G.O(Ms) No.22 P & AR Department dated 28.02.2006.

For petitioner : Mr. S.Anbazhagan

For respondents : Mr. C.Selvaraj
Additional Government Pleader



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ORDER

This writ petition is filed for the following relief:

“To call for the records pertaining to order passed by the 2nd respondent vide his proceedings in Proc.No.S2/9774/2022 dated 07.10.2024 and to quash the same as illegal, and consequently direct the 2nd respondent to regularize the petitioner’s service from date of completion of 10 years i.e., 01.05.2003, with all service and monetary benefits as per the G.O(Ms) No.22 P & AR Department dated 28.02.2006.”

2. It is the case of the petitioner that he was selected and appointed to the post of Driver in the 3rd respondent office on a daily wage basis. The petitioner has been rendering service without any break and blemishlessly till date. On account of the satisfactory working of the petitioner and others, the Government of Tamil Nadu had issued GO.Ms.No.22, P & AR Department dated 28.02.2006 to absorb employees working in the department temporarily for more than



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10 years.

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3. By virtue of this GO, the petitioner's service was regularised by the 1st respondent by passing GO.(3D).No.28 dated 03.06.2010. GO.No.22 directed the absorption of the employees who had completed 10 years of service as on 01.01.2006. The petitioner completed his service of 10 years on 30.04.2003, much before 01.06.2006. However, the 1st respondent had regularised his services only from 03.06.2010, whereas the petitioner ought to have been regularised with effect from 01.05.2003.

4. On receiving GO (3D).No.28 dated 03.06.2010, the petitioner had approached the 3rd respondent office to regularise him from service on completion of 10 years i.e., from 01.05.2003. Since there was no satisfactory response from the respondents the petitioner had filed WP.No.6046 of 2023, seeking a direction to the respondents to regularise his services with effect from 01.05.2003. This Court by order dated 04.03.2024, was pleased to direct the respondents to consider the petitioner's case in the light of the Judgement of the Full



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Bench dated 26.02.2024 and pass orders within a period of 12 weeks.

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5. The petitioner would submit that after the orders of this Court, the impugned order has been passed by the 2nd respondent in which he has stated that regularisation of the petitioner's service from the date of his completion of 10 years is not feasible on account of GO.(Ms).No.22 dated 28.02.2026 and GO.(Ms)No.74 Dated 27.06.2013.

6. Challenging the same, the petitioner is before this Court.

7. The learned counsel for the petitioner would submit that the rejection was made on account of the fact that the post held by the petitioner did not fall into any one of the 86 categories that has been described in Special Rules for Tamil Nadu Basic Service and the petitioner was not initially appointed through employment exchange. The petitioner would submit that these conditions are not even contemplated in GO.Ms.No.22.



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8. Further, the petitioner's junior one Murugan, who is similarly placed had approached this Court seeking regularisation and this Court directed regularisation of his service upon completion of 10 years along with the payment of all consequential service and monetary benefits. This order was given effect to by respondents by issuing GO.(Ms)No.3, Environment and Forest (FR.2-II) Department, dated 11.01.2019. Therefore, the petitioner is before this Court claiming the aforesaid relief.

9. The respondents have filed a counter affidavit. Apart from reiterating the contents of the affidavit filed by the petitioner the respondents would submit that the petitioner is not entitled to the same order as the said Murugan. They would further submit that as per GO.No.74, where the services is regularised by relaxing the rules monetary benefits will be available from date of the order and not from date of completion of 10 years. Therefore, they prayed that this writ petition may be dismissed.



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10. Heard the learned counsels on the either side and perused the records.

11. From the documents that has been submitted by the petitioner it is seen that the respondents have not only regularised the services of Murugan, they have also regularised the services of others, namely, V.Madhu, V.Mahendran, M.Rajesh Kumar, Prakash, P.Kumaresan, B.Pushparaj, K.Senthil Kumar, N.Kamaraj, S.Murali, Chandran, P.Sivakumar and Sakthivel, on their completion of 10 years of service. Therefore, the respondent's contention that the said Murugan was one of its kind cannot be sustained. GO.(Ms).No.22 has been called into question in earlier writ petitions and the same have been regularised. Further, the issue of regularisation of the employees is no longer *res integra*.

12. The regularisation from the date of completion has been covered by number of decision by this Court and confirmed by the Hon'ble Supreme Court. The respondents having confirmed the



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similarly placed person from the date of completion of 10 years cannot apply different yardstick in the case of the petitioner. Therefore, the order passed by the 2nd respondent cannot be sustained and is liable to be quashed. Accordingly, the impugned order is quashed.

13. The writ petition is allowed. The 1st respondent is directed to regularise the petitioner's service from the date of his appointment on par with other similarly placed persons with consequential and monetary benefits, within a period of 6 weeks from the date of receipt of a copy of this order. No costs.

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