



W.A.No.509 of 2026

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.02.2026

CORAM

**THE HONOURABLE MR.JUSTICE R.SURESH KUMAR
and
THE HONOURABLE MR.JUSTICE SHAMIM AHMED**

**W.A.No.509 of 2026
and
C.M.P.No.5014 of 2026**

1. The State of Tamil Nadu,
Represented by its Principal Secretary to the Government,
Environment and Forest Department,
Secretariat, Fort St.George,
Chennai – 600 009.
2. The Principal Chief Conservator of Forests,
Head of the Forest Department,
Velachery Road, Guindy,
Chennai,
Tamil Nadu – 600 032.
3. The Conservator of Forests,
Villupuram Circle,
Villupuram.
4. The District Forest Officer,
Villupuram Forest Division,
Villupuram.

... Appellants

-Vs-

G.Babu

... Respondent



W.A.No.509 of 2026

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PRAYER : Appeal filed under Clause XV of Letters Patent, against the order dated 21.01.2025 in W.P.No.30837 of 2023.

For Appellants : Mr.R.Neethiperumal
Government Advocate

For Respondent : Ms.T.Dharani

J U D G M E N T

(Judgment of the Court was delivered by **R.SURESH KUMAR, J.**)

This intra-Court appeal has been directed against the order dated 21.01.025 made in W.P.No.30837 of 2023.

2. The respondent viz., G.Babu was the writ petitioner who was appointed as Driver on daily wage basis from 01.04.2008 at the appellant Department in the office of the Forest Range Office, Inter Forestry Range, Kallakurichi District. Since then, he has been continuously working for more than ten years, therefore, on completion of ten years, the writ petitioner had approached the appellant Department to regularize his service. In this context, he already approached the writ Court by filing writ petition in W.P.No.18322 of 2023,



W.A.No.509 of 2026

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seeking such regularization and this Court, by order dated 22.06.2023 issued a direction to the respondents therein, who are the appellants herein to consider the case of the writ petitioner and pass orders.

3. However, by order dated 08.09.2023, the appellant Department rejected the plea raised by the writ petitioner for regularization. Challenging the same, the present writ petition has been filed which was allowed by the writ Court through the order impugned dated 21.01.2025.

4. Heard Mr.R.Neethiperumal, learned Government Pleader appearing for the appellants and Ms.T.Dharani, learned counsel appearing for the respondent / writ petitioner.

5. The learned Judge in the order impugned has followed at least two earlier orders passed by this Court, i.e., in W.P(MD)No.11106 of 2013 dated 01.12.2016 which was confirmed in W.A.(MD)No.686 of 2017 and further confirmed in S.L.P.(Civil) Diary No.29276 of 2018 dated 04.09.2018 and the relevant portion of the order has been extracted in the order impugned itself.



W.A.No.509 of 2026

WEB COPY

6. When the issue already been covered by the decision which has been approved and confirmed upto the Hon'ble Supreme Court and since the same has been followed by the learned Judge of the writ Court in allowing the writ petition, it cannot be said to be an infirm one.

7. Moreover, on a similar issue, when it came up before yet another Division Bench of this Court in ***W.A.No.3161 of 2025*** in the matter of the ***Government of Tamil Nadu, Represented by Secretary to Government, Environment and Forest Department, Secretariat, Chennai – 600 009 Vs. N.Nithianathapandi***, the Division Bench, by order dated 11.11.2025 also passed order dismissing the said writ appeal, thereby, the order impugned before it that was passed in W.P.No.11233 of 2021 dated 12.01.2024 by the writ Court was upheld.

8. Therefore, there has been consistent stand taken by the Court where the benefit of G.O.(Ms)No.22, Personnel and Administrative Reforms (F) Department dated 28.02.2006 followed by G.O.(Ms)No.74, Personnel and Administrative Reforms Department dated 27.06.2013 shall be extended to those temporary employees who have been working continuously for more than



W.A.No.509 of 2026

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ten years and on completion of ten years, since they are entitled to get regularization, such benefit of regularization be extended to them.

9. In that line only, since the order impugned was passed by the writ Court, the same need not be interfered with.

10. That apart, before moving the present writ appeal, the appellant Department having accepted the decision made by the writ Court through the impugned order and in fact has been implemented by issuance of G.O. (2D)No.149, Environment, Climate Change and Forests (FR.2(ii)) Department dated 28.07.2025, wherein *inter alia*, the following has been stated:

“10. After careful examination, the Government accept the request of the Principal Chief Conservator of Forests and accord permission to the Principal Chief Conservator of Forests to regularize the service of the petitioner Thiru.G.Babu as Driver from the date of initial appointment by relaxing rule 2(a) of the Special Rule for the Tamil Nadu Forest Subordinate Service (TNFSS) regarding method of appointment and age required for appointment to the post of Driver and to pay monetary and service benefits subject to the outcome of the writ appeal to be filed or any other legal proceedings.”



W.A.No.509 of 2026

WEB COPY

11. Since the order impugned is a sustainable one as we discussed hereinabove and also the same having been accepted and implemented now by passing the order in G.O.(2D)No.149 dated 28.07.2025, we do not see any reasons to interfere with the order which is impugned herein.

12. In the result, the present Writ Appeal deserves to be dismissed, accordingly, it is dismissed. However, there shall be no order as to costs. Connected miscellaneous petition is closed.

(R.S.K., J.) (S.S.A., J.)
25.02.2026

NCC : Yes / No
Index : Yes / No
Speaking Order : Yes / No

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W.A.No.509 of 2026

WEB COPY

To

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W.A.No.509 of 2026

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