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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.11.2025

CORAM:

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

W.P.No.45876 of 2025 and
WMP.no.51134 of 2025

A.Ramasamy ...Petitioner

-Vs-

1.THE STATE OF TAMILNADU,
REP BY ITS ADDITIONAL CHIEF SECRETARY TO GOVERNMENT,
ENVIRONMENT, CLIMATE CHANGE AND FOREST
DEPARTMENT, FORT ST.GEORGE, CHENNAI-9

2.THE PRINCIPAL CHIEF CONSERVATOR OF FOREST,
(HEAD OF FOREST FORCE), FOREST HEADQUARTERS
BUILDING, 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 G.O.(2D) No.99, Environment, Climate change and Forest (FR.2.ii) Department dated 08.05.2023 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 cadre post of Forest watcher for the purpose of getting pension by giving relaxation in respect of height on

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par with his junior K.Annadurai, S.No.4686 with effect from 24.1.1995 in the light of the order passed in WP No.9708 of 2014 dated 12.9.2014 same was confirmed by the Division Bench in W.A.No.1703 of 2014 dated 20.1.2015 , W.A.No.1838 and 1839 of 2018 dated 11.8.2021 and implementation order passed by the 1st respondent in G.O.(2D)No.28, Environment, Climate Change and Forest(FR.2(ii) Department dated 5.3.2024 and in the light of the order passed in W.P.No.34270 of 2023 dated 23.1.2024 with all consequential benefits

For Petitioner : M/s.K.Jenitha

For Respondents : Dr.T.Seenivasan,
Special Government Pleader

ORDER

This writ petition has been filed challenging the order passed in G.O.(2D) No.99, Environment, Climate change and Forest (FR.2.ii) Department dated 08.05.2023 on the file of the 1st respondent and to direct the respondents to regularize the petitioner's service in the cadre post of Forest watcher for the purpose of getting pension by giving relaxation in respect of height on par with his junior K.Annadurai, S.No.4686 with effect from 24.1.1995 in the light of the order passed in WP No.9708 of 2014 dated 12.9.2014 same was confirmed by the Division Bench in W.A.No.1703 of 2014 dated 20.1.2015 , W.A.No.1838 and 1839 of 2018 dated 11.8.2021 and implementation order passed by the 1st respondent in G.O.(2D)No.28, Environment, Climate Change and

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Forest(FR.2(ii) Department dated 5.3.2024 and in the light of the order passed in W.P.No.34270 of 2023 dated 23.1.2024 with all consequential benefits.

2. The petitioner was appointed as Plot Watcher in Social Forestry Divisions on daily wages basis and his name was included in the statewide seniority list. While being so, the Plot Watchers / Social Forestry Workers were appointed in the regular post of Forest Watcher and Mali irrespective of any physical measurements and without following any seniority. In the year 2006, G.O(2D) No.56, Environment and Forest Department dated 06.09.2006 was passed relaxing the rule of height. According to the petitioner, similarly placed persons had filed writ petitions before this Court for appointment in the post of Forest Watcher on par with the juniors by giving benefit of height relaxation. Those writ petitions were allowed by this Court and the respondents also complied with the directions issued by this Court. Therefore, petitioner submitted representation before the respondents. However, the respondents have rejected the petitioner's claim by passing the impugned order. Hence, this writ petition.

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3. This issue was already dealt with by this Court in WP.No.34270 of 2023 and this Court by order dated 23.01.2024, quashed the order impugned in that writ petition and directed the respondents therein to consider the representation of that petitioner in the light of the order passed in WP.No.21349 of 2023 and batch dated 03.08.2023. The relevant portion of the order is extracted hereunder:

> *"5. In similar matters, this Court considered the similar request in W.P.Nos.21349 of 2023 and batch dated 03.08.2023 and held as follows:'*
>
> *"7. Admittedly, the grievance of the writ petitioner is that he is seeking regularization of service for pensionary benefits. It is the contention of the writ petitioners that similarly persons have been given such benefits as per Government Orders in G.O.Ms.No.95, Environment and Forest Department, dated 07.08.2009, G.O (2D) No. 08 Environment Climate Change And Forests (FR.2ii) Department dated 09.01.2023 and G.O. [2D] No.9, dated 08.02.2022. Based on the Orders of this Court in W.A.No.2072 of 2018, dated 11.08.2021, the Government has issued the Government Order in G.O (2D) No. 08 Environment Climate Change And Forests (FR.2ii) Department dated 09.01.2023. As per the above Government Orders, the relief has been extended to similarly placed persons. Hence, the*

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respondents are directed to consider the case of the petitioners in the light the above Government Orders, 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 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 Orders as it is extended to similarly situated persons. .....”

6. In view of the above, the impugned order cannot be sustained and is liable to be quashed. Accordingly, G.O.(2D).No.147, Environment, Climate Change and Forests (FR.2ii) Department dated 26.06.2023, on the file of the first respondent, is hereby quashed. The respondents are directed to consider the representation submitted by petitioner dated 18.03.2022, in the light of the above order passed in W.P.Nos.21349 of 2023 and batch dated 03.08.2023 as the benefits have been extended to similarly placed persons and pass orders on merits and in accordance with law, within a

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period of twelve weeks from the date of receipt of a copy of this order.

Therefore, the same order is passed in this writ petition as well.

4. Accordingly, the impugned order dated 08.05.2023 is set aside in respect of the petitioner. The respondents are directed to consider the case of the petitioner in the light of the order passed in W.P.Nos.21349 of 2023 and batch dated 03.08.2023 and also to consider regularizing the petitioner's service in the cadre post of Forest watcher for the purpose of getting pension by giving relaxation in respect of height on par with his junior K.Annadurai, S.No.4686 with effect from 24.1.1995 in the light of the order passed in WP No.9708 of 2014 dated 12.9.2014 same was confirmed by the Division Bench in W.A.No.1703 of 2014 dated 20.1.2015 , W.A.No.1838 and 1839 of 2018 dated 11.8.2021 and implementation order passed by the 1st respondent in G.O.(2D)No.28, Environment, Climate Change and Forest(FR.2(ii) Department dated 5.3.2024 and in the light of the order passed in W.P.No.34270 of 2023 dated 23.1.2024 with all consequential benefits, as the benefits have been extended to similarly placed persons and to pass orders on merits and in accordance with law, within a period of twelve weeks from the date of

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receipt of a copy of this order.

5. With the above directions, this writ petition is allowed. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

25.11.2025
(5/6)

Neutral citation: Yes/No
Index : Yes/No
Speaking/Non Speaking order
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