

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.04.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

Cont.P.No.809/2016 in WP.No.30107/2015

E.Shanmugam ... Petitioner

Vs.

Mr.Vinoth Kumar
Principal Chief Conservator of Forests
Panagal Building, Saidapet,
Chennai 600015. ... Respondent

Contempt Petition filed under section 11 of the Contempt of Courts Act, 1971, to punish the respondent for his willful and flagrant violation of the order dated 23.09.2015 made in WP.No.30107/2015 passed by this Court.

For Petitioner : No appearance

For Respondent : Mr.M.Santhanaraman,
GA [Forests]

ORDER

The learned counsel for the petitioner is called absent.

2 This Court vide order dated 23.09.2015 made in WP.No.30107/2015, has directed the 2nd respondent therein to consider and dispose of the petitioner's representation dated 24.08.2015 and pass orders in accordance with law within a period of four weeks from the date of receipt of a copy of that order, after taking note of the proceedings of

the 2nd respondent dated 04.02.2013 and 24.06.2013 respectively and communicate the decision taken to the writ petitioner. The petitioner, alleging non-compliance of the said order, has filed this contempt petition.

3 The 2nd respondent, who has been arrayed as the contemnor, has filed a counter affidavit and would submit that the approval of the Administrative Department of the Government of Tamil Nadu, is to be obtained and there was some delay in complying with the orders and however, the order passed by this Court has been complied with in letter in spirit.

4 This Court has considered the submissions made by Mr.M.Santhanaraman, learned Government Advocate [Forests].

5 The order which is the subject matter of contempt, came to be passed as early as on 23.09.2015, granting four weeks time to comply with the order ; but the said order has been belatedly complied with in the form of the proceedings of the District Forest Officer dated 28.11.2016 and the reason for delay is the time taken by the Administrative Department of the Government to pass necessary proceedings in the form of Letter dated 09.09.2016 in Na.Ka.No.3978/FR.2/2016-3.

6 The petitioner is aged about 62 years. Taking into consideration the reasons assigned in the counter affidavit for belated compliance, this Court is of the view that for condonation of the same, the concerned

Administrative Department is to be put on terms.

7 In the light of the compliance of the order, the contempt petition is closed and on account of the belated compliance, the Administrative Department, viz., the Environment and Forests Department, Secretariat, Chennai-600009, shall pay a cost of Rs.1000/- [Rupees One Thousand only] in favour of **The Registrar [Administration], Madurai Bench of Madras High Court, Madurai, Account No.6514082295, [IFSC Code No.IDIB000H040], Indian Bank, High Court Branch, Madurai, on or before 26.04.2017.**

8 Post on 27.04.2017 for reporting compliance.

SD/-

JOINT REGISTRAR(OS) I/C

AP

//Certified to be true copy//

Dated at Madras this the day of 2017.

सत्यमेव जयते

COURT OFFICER(O.S.)

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SS/CO/22/06/2017

To

1. Mr.Vinoth Kumar
Principal Chief Conservator of Forests
Panagal Building, Saidapet,
Chennai 600015.
2. The Secretary to Government of Tamil Nadu
Environment and Forest department,
Chennai 600 009.