



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.09.2017

CORAM:

WEB COPY

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

Cont P. (MD).No.1341 of 2016

in

W.P. (MD).No.3766 of 2016

K.Jeyamani

.. Petitioner/Petitioner

Vs.

Marimuthu IFS.,
The Divisional Forest Officer,
Varusanadu Soil Conservation Division,
Theni, Theni District.

... Contemnor/2nd Respondent

PRAYER: Contempt Petition is filed under Section 11 of Contempt of Courts Act 1971, to punish the respondent for his wilful disobedience of the order passed by this Court, in W.P.(MD) No.3766 of 2016, dated 23.02.2016.

Prayer in WP(MD). 3766/ 2016 :

Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of mandamus directing the 2nd respondent to pass appropriate orders based on the proceedings of the 1st respondent bearing Proc.No.B1/2398/2015 dated 07.10.2015 and to sanction and disburse the monetary benefits due to petitioner as well as the Special Provident Fund payable to the petitioner along with interest within a stipulated time that may be fixed by this Court.

For Petitioner : Mr.S.C.Herold Singh

For Respondent : Mr.D.Muruganandham

Additional Government Pleader

O R D E R

This Court, by an order dated 23.02.2016, in W.P.(MD).No.3766 of 2016, had directed the respondent herein to consider the case of the petitioner and pass appropriate orders based on the proceedings of the first respondent therein, dated 07.10.2015, on merits and in accordance with law, within a period of six weeks. Since the respondent herein has not complied with the same, the petitioner has come up with this contempt petition.



2.Today, when the matter is taken up for hearing, a Status Report has been filed by Mr.J.R.Samartha, the District Forest Officer, Madurai holding additional charge of the post of Divisional Forest Officer, Varusanadu Soil Conservation Division, Theni District, who is personally present before this Court, submitted that pursuant to the order of this Court, a proceedings had been sent to the Accountant General, Chennai and the Accountant General, Chennai in his letter No.P21/4/12114165/AIK/967, dated 04.04.2016 had raised certain objections on the revised pay fixed in Conservator of Forests, Madurai. The Contemnor/Respondent has also responded the same. The Contemnor/Respondent has further submitted that only after getting proper sanctioned order from the Accountant General, Chennai, the fund will be released.

3.This Court had only directed the respondent herein to consider the case of the petitioner and pass appropriate orders based on the proceedings of the Conservator of Forest, dated 07.10.2015. In view of the above submission of the respondent, this Court is of the view that the respondent herein has complied with the same.

4.Accordingly, this Contempt Petition is closed. No costs.

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

+ 1 CC TO Mr.S.C.HEROLD SINGH, ADVOCATE IN SR No. 76782

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 76851

MSA

TE/KK/SAR-II : 27/09/2017 : 2P/3C

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W.P.(MD).No.3766 of 2016
05.09.2017