



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 05.01.2018

WEB COPY

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

CONT P (MD).No.7 of 2016

E.Ramakrishnan

... Petitioner/Petitioner

Vs.

1.Mr.Hansraj Varma,

The State of Tamil Nadu represented by
it's Principal Secretary,
Department of Environment & Forest (FR-1),
St.George Fort,
Chennai-9.

2.Mr.Malhani,

Principal Chief Conservator of Forest,
Head of the Forest Force,
Panagal Maligai, Saidapet,
Chennai-15.

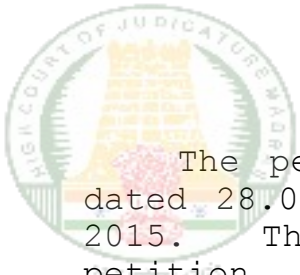
...Respondents/contemnors

Prayer : Contempt Petition filed under Section 11 of Contempt of Court Act, 1971, to punish the contemnors/Respondents for their willful disobedience of the order passed by the Court in W.P.(MD). No.4990 of 2015 dated 20.04.2015.

Prayer in WP(MD). 4990/ 2015 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus, calling for the records of the 1st Respondent pertaining to his order in G.O. (2D) No. 30 Environment and Forests (FR 1), Department dated 28.03.2015 and quash the same as illegal and arbitrary and further direct the 1st Respondent to permit the Petitioner to retire from his service on superannuation dated on 31.03.2015 consequently directing the 2nd Respondent to pass appropriate order disbursing the Petitioner s entire retirement monetary benefits within a stipulated period fixed by this Honourable Court.

For Petitioner : Mr.S.M.Anantha Murugan
For Respondents :Mr.J.Gunaseelan Muthiah for R1 & R2
Additional Government Pleader



ORDER

The petitioner herein was suspended from service by an order dated 28.03.2015. The same was questioned in W.P.(MD).No.4990 of 2015. This Court by an order dated 20.04.2015 dismissed the writ petition, but, while dismissing the writ petition, it was stated that if the respondents wanted to proceed against the petitioner departmentally, it is open to them to initiate enquiry and complete the same within a period of three months.

2.The grievance of the petitioner is that the respondents have not conducted any such enquiry. This will not give rise to any cause of action for filing contempt petition. Admittedly, the writ petition filed by the petitioner was dismissed on the strength of some observation made therein. The Writ Petitioner cannot wreck vengeance the department by filing contempt petition. Nothing survives for adjudication in this Contempt Petition.

3.The Contempt Petition stands closed.

Sd/-

Assistant Registrar (CS-III)

/True copy/

Sub Assistant Registrar

To

1.Mr.Hansraj Varma,
The State of Tamil Nadu represented by
it's Principal Secretary,
Department of Environment & Forest (FR-1),
St.George Fort,
Chennai-9.

2.Mr.Malhani,
Principal Chief Conservator of Forest,
Head of the Forest Force,
Panagal Maligai, Saidapet,
Chennai-15.

+1cc to Mr.S.M.ANANTHA MURUGAN,Advocate,SR.40726
+1cc to M/S.Special Government Pleader,SR.40794

CONT P (MD) .No.7 of 2016
05.01.2018

TSG

KK/SV MMS/SAR 2/31.01.2018/ 2P- 5C/