

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.07.2019

CORAM :

THE HONOURABLE MR.JUSTICE R.SUBBIAH

Contempt Petition No.2185 of 2018

Madhiazhagan
S/o.Kannan

... Petitioner

Vs.

Mr.Nasimuddin,
The Secretary,
Environment and Forest Department,
Government of Tamilnadu,
Fort St.George,
Chennai-9.

... Respondent

Contempt Petition filed under Section 11 of the Contempt of Court Act, praying to punish the respondent herein for the wilful disobedience and flagrant violation of the order dated 08.11.2016 made in W.P.No.38945 of 2016 passed by this Hon'ble Court.

For Petitioner : Mr.C.Prabakaran

For Respondent : M/s.Thanga Vadhana Balakrishnan
Additional Government Pleader.

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O R D E R

The present Contempt Petition has been filed by petitioner alleging non-compliance of the order of this Court passed in W.P.No.38945 of 2016 dated 08.11.2016.

2. Heard learned counsel for petitioner and learned

<https://hcservices.ecourts.gov.in/hcservices/>
counsel for respondent.

3. This Court, by an order dated 08.11.2016 disposed of the writ petition directing the 1st respondent to pass order on the proposal of the 3rd respondent dated 02.01.2014 made in Na.Ka.No.2268/2013/Pa, to regularise the service of the petitioner for the post of Plot Watcher and to fix the time scale of pay taking into account of the seniority and qualification, on par with the Juniors w.e.f. 01.06.2001 and to confer all consequential benefits, within a period of four weeks from the date of receipt of copy of the order.

4. Today, when the Contempt Petition is taken up for consideration, the learned Additional Government Pleader produced a copy of the order in G.O.(2D) No.18/Environment and Forests(FR.2-II) Department dated 24.04.2019 and submitted that the respondent has passed an order rejecting the claim of the petitioner on the reasoning that the petitioner's name is not found in the Statewide Seniority List and no junior to him with less than 10 years of service has been extended the benefit of regularization. The District Forest Officer, Thiruvallur Division is not the appropriate officer to send the proposal for regularization of services of the individual as per conditions stipulated under G.O.(Ms.)No.22, Personnel and Administrative Reforms Department, dated 28.02.2006. Head

of Departments is the appropriate authority to send the proposal for regularization as per orders issued in the aforesaid Government Order.

5. In view of the above said G.O., nothing further survives for consideration in this Contempt Petition. Accordingly, this Contempt Petition stands closed.

SD/-

ASSISTANT REGISTRAR (COMM. CASES)

RM

//Certified to be true copy//

Dated at Madras this the day of 2019.

COURT OFFICER (O.S.)

from 25th day of September 2008 the Registry is issuing Certified copies of the Orders/Judgments/Decrees in this format.

Mv/06/08/2019

To

The Secretary,
Environment and Forest Department,
Government of Tamilnadu,
Fort St. George, Chennai-9.

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