

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 03.02.2020

Coram

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

Cont. Petn.No.1105 of 2015

1. S.Perumal
2. S.Rajagopal
3. S.Yogeswaran ... Petitioners

Vs.

1. Mr. Mohan Verghese Chunkath, I.A.S.,
Secretary, Government of Tamilnadu,
Forest and Environment Department,
Secretariat, Chennai 600 009.
2. Mr.Vinod Kumar, I.F.S.,
Principal Chief Conservator of Forrest,
Panagal Maaligai, Saidapet, Chennai 600 015. ... Respondents

Prayer : This contempt application has been filed under Section 11 of the Contempt of Courts Act to punish the respondents for their willful disobedience in not complying with the order dated 17.09.2014 passed by this court in W.P.No.25274 of 2014.

For Petitioner : Ms.K.Jenitha

For Respondents : Mr.M.Elumalai, Gov. Advocate

ORDER

This contempt application has been filed to punish the respondents for their willful disobedience in not complying with the order dated 17.09.2014 passed by this court in W.P.No.25274 of 2014.

2. The learned Government Advocate appearing for the respondents submitted that the respondents have complied the order passed by this court in W.P.No.25274 of 2014 dated 17.09.2014 and to that effect he placed an order passed by the Government in G.O.(Ms).No.138, Environment and forests (FR-2-II) Department dated 22.11.2019, wherein, in paragraph No.7, it is stated as follows.

7. After careful examination, the Government have decided to accept the proposal of the Principal Chief Conservator of Forests, accordingly in exercise of the power conferred under Section 58 of Tamil Nadu Government Servants (Conditions of Service) Act, 2016, the Governor of Tamil Nadu hereby relaxes rule 5 of Special Rules of Tamil Nadu Forest Subordinate Service

with respect to height in favour of Tvl. S.Perumal, S.Rajagopal and S.Yogeshwaran for appointing them as Forest Watcher with effect from 04.12.2010, 18.02.2011 and 05.07.2013 respectively and the Government accord permission to the Principal Chief Conservator of Forests for the following:-

- a) To appoint Thiru S.Perumal, Thiru S.Rajagopal and Thiru S.Yogeshwaran, who are the petitioners in W.P.No.25274 of 2014 as Forest Watcher with effect from 04.12.2010, 18.02.2011 and 05.07.2013 respectively,*
- b) To fix their pay notionally from the date on which their juniors were promoted as Forest Watcher.*
- c) To allow them to get monetary benefits from the date of issue of order only.*

3. At this juncture, the learned counsel appearing for the petitioners submitted that the respondents have not passed any appointment orders in favor of the petitioners and hence, still, the respondents have not complied the orders passed by this court.

4. To reply the above said submission made by the learned counsel appearing for the petitioner, the learned Government Advocate submitted that the 3rd respondent will comply the orders passed by the Government in G.O.(Ms).No.138, Environment and forests (FR-2-II) Department dated 22.11.2019, within three weeks.

5. Recording the submission made by the learned Government Advocate, this contempt Petition is closed. No costs.

mst

SD/-
ASSISTANT REGISTRAR(COMM.CASES)

//Certified to be true copy//

Dated at Madras this the day of 2020.

COURT OFFICER(O.S.)

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SMI/28/02/2020

To

1. The Secretary, Government of Tamilnadu,
Forest and Environment Department,
Secretariat, Chennai 600 009.
2. The Principal Chief Conservator of Forrest,
Panagal Maaligai, Saidapet, Chennai 600 015.



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