



Cont.P.No.617 of 2019

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

Cont.P.No.617 of 2019

T.Sivasankaran,
No.9/1B, Muthukrishnan Street,
Kindagal, Tindivanam 604 001

...Petitioner

-Vs-

Mr.Abishek Thomar, I.F.S.,
District Forest Officer,
Villupuram Forest Division,
Villupuram.

...Respondent

PRAYER: Petition filed under Section 11 of the Contempt of Courts Act, to punish the respondent herein for their act of wilful disobedience of the order of this Court dated 27.10.2015 in W.P.No.33849 of 2015.

For Petitioner : Mr.Mani,
For Mr.R.Dhanasekar

For Respondent : Mr.K.V.Sajeev Kumar
Special Government Pleader

ORDER

Today, when the matter was taken up for hearing, Mr.Sumesh Soman,

<https://hcservices.ecourts.gov.in/hcservices/> District Forest Officer, Villupuram appeared in person before this Court.



2. In the earlier order of this Court dated 27.10.2015, the impugned orders of recovery dated 17.10.2014, 21.10.2014 and 27.10.2014 were directed to be treated as show cause notices and the petitioner was granted liberty to submit his explanation to the said notices, with a consequential direction to the Department to consider such explanation on its own merits and in accordance with law and pass orders within a stipulated time. It is in this background that an order dated 24.04.2019 came to be passed by the District Forest Officer, Villupuram. The petitioner seems to be aggrieved against the reasoning adopted by the District Forest Officer, in his proceedings dated 24.04.2019.

3. This Court is of the view that such a grievance may not amount to disobedience, which can be termed to be 'wilful in nature' and may warrant contempt proceedings. If at all, the petitioner is aggrieved against the reasoning adopted by the District Forest Officer, vide proceedings dated 24.04.2019, it is always open to him to challenge the same in accordance with law and that, initiation of the contempt proceedings may not be appropriate.

4. In the light of the above observations, the petitioner is granted liberty to challenge the order dated 24.04.2019 passed by the District Forest Officer, Villupuram, in accordance with law, since the disobedience alleged in this contempt petition cannot be termed as 'wilful in nature'. Accordingly, the



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Contempt Petition stands Dismissed with the above liberty.

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SD/-
ASSISTANT REGISTRAR(COMM.CASES)
//Certified to be true copy//

Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)
from 25th day of September 2008 the Registry is issuing Certified copies of
the Orders/Judgments/Decrees in this format.

GS/23/02/2022

To:

The District Forest Officer,
Villupuram Forest Division,
Villupuram.