



Cont. P. Nos.1431 and 1463 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.10.2022

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THE HONOURABLE MR. JUSTICE S.S.SUNDAR

Contempt Petition Nos.1431 and 1463 of 2022
and Sub Appl.Nos.536 and 538 of 2022

Contempt Petition No.1431 of 2022

K.Chinnapaiyan

..Petitioner

Vs

1. Mrs.Supriya Sahu, IAS,
The Principal Secretary to Government,
Environment and Forest Department,
Fort St. George, Chennai 600 009.
2. Mr.Syeed Muzammil Abbas, IFS,
The Principal Chief Conservator of Forest,
Head of the Forest Department,
Panagal Maligai, Saidapet, Chennai 600 015.

..Respondents

PRAYER : Petition filed under section 11 of the Contempt of Courts Act, to punish the respondents for the wilful disobedience of the order passed by this Court made in WP.No.5890 of 2021, dated 29.07.2021.



Cont. P. Nos.1431 and 1463 of 2022

Contempt Petition No.1463 of 2022

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..Petitioner

Vs

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Environment and Forest Department,
Fort St. George, Chennai 600 009.
2. Mr.Syeed Muzammil Abbas, IFS,
The Principal Chief Conservator of Forest,
Head of the Forest Department,
Panagal Maligai, Saidapet, Chennai 600 015.

..Respondents

PRAYER : Petition filed under section 11 of the Contempt of Courts Act, to punish the respondents for the wilful disobedience of the order passed by this Court made in WP.No.5887 of 2021, dated 29.07.2021.

For Petitioner : Mr.G.Suresh
(both the petitions)

For Respondent : Mr.J.Ravindran,
(both the petitions) Additional Advocate General
assisted by T.Seenivasan,
Special Government Pleader (Forest)



Cont. P. Nos.1431 and 1463 of 2022

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COMMON ORDER

These Contempt Petitions are filed alleging willful disobedience of the order of this Court, dated 29.07.2021 in WP.Nos.5890 and 5887 of 2021.

2. The petitioners herein earlier filed the above Writ Petitions to quash the impugned order passed by the first respondent in G.O.(2D) No.35 Environment & Forests (FR.2.II) Department dated 28.11.2020 and consequently to direct the first respondent to regularize their services on completion of 10 years of service from the date of their initial appointment on daily wages by extending the benefit conferred in G.O.Ms.No.3, Environment and Forests (FR.2.II) Department dated 11.01.2019 & in G.O.Ms.No.48 Environment & Forests (FR.2.II) Department dated 27.05.2019 with all consequential service and monetary benefits.

3. This Court having regard to the identical facts disposed of both the Writ Petitions in the following lines:



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Cont. P. Nos.1431 and 1463 of 2022

"6. Having regard to the judgments relied upon by the petitioners and the view expressed by this Court in a catena of cases, this Court is not inclined to take any different view, as no distinguishing factor is pointed out for not applying the same principle in the case of the petitioners. Accordingly, these writ petitions are allowed and the impugned order passed by the first respondent in G.O.(2D) No.35 Environment & Forests (FR.2.II) Department dated 28.11.2020, is hereby quashed. No costs. The respondents are directed to regularise the service of the petitioners on completion of ten years, from the date of initial appointment with all attendant and consequential benefits. The first respondent shall pass appropriate orders within a period of eight weeks from the date of receipt of a copy of this order."

4. The learned Additional Advocate General appearing for the respondents assisted by T.Seenivasan, learned Special Government Pleader, has submitted that the Government vide G.O.(2D) No.154, Environment, Climate Change and Forests (FR.2(i)) Department, dated 26.09.2022, has accorded permission to the Principal Chief Conservator of Forests to regularize the service of the petitioners by relaxing Rule 2 of the Tamil Nadu Forest Subordinate Service Special Rule, in compliance of the



Cont. P. Nos.1431 and 1463 of 2022

direction of this Court. A copy of the said G.O. is also produced before this

Court.

5. The learned counsel for the petitioners admitted that the order of this Court is complied with.

6. Recording the submissions of the learned Additional Advocate General and the learned counsel for the petitioner, these Contempt Petitions are closed. Consequently, connected sub applications are closed.

12.10.2022

pvs



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Cont. P. Nos.1431 and 1463 of 2022

S.S.SUNDAR.J.,

pvs

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