



Cont.P.No.435 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.09.2023

CORAM

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

Contempt Petition No.435 of 2023

1.B.Govindan
2.R.Parvathi
3.K.Rajamanickam
4.M.Krishnan
5.M.Periyasamy
6.M.Duraisamy
7.T.Krishnan
8.R.Ramasamy
9.M.Pachaimuthu
10.M.Viswaboopathy

...Petitioners

..Vs..

1.Dr.SupriyaSahu, I.A.S.,
Secretary,
Environment and Forest Department,
Fort St. George, Chennai – 600 009.

2.Dr.Ashok Upreti, I.F.S.,
The Principal Chief Conservator of Forests,
Panagal Building, Saidapet,
Chennai – 600 015.

...Respondents

PRAYER: Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971 praying to punish the respondents for their willful



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disobedience in not complying with the order dated 30.08.2019 passed by this Court in W.P.No.18791 of 2019.

For Petitioner : Mr.S.Mani
For Respondents : Ms.M.Jayanthy,
Additional Government Pleader

ORDER

The first respondent filed an affidavit, wherein it is stated as follows:

4) It is respectfully submitted that this Hon'ble High Court was pleased to pass a common order on 30.08.2019 in W.P.No.18791 of 2019 and other 6 writ petitions and the operative portion of the order is given below:

Para: 10.Accordingly, all the present Writ Petitions are allowed as prayed for. No costs. It is made clear that the petitioners herein, on being regularized with effect from 24.01.1995 are not entitled to any monetary benefits, but they are entitled for counting of the service for the purpose of pension and other retirement benefits. It is also clarified that the direction of this Court would not be applicable to the petitioners whose serial numbers and writ petitions were given in para 13 of the counter affidavit.



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Para: 11.The respondents are directed to pass appropriate orders granting regularization to the petitioners with effect from 24.01.1995 within a period of four weeks from the date of receipt of this order. No costs.

5) It is respectfully submitted that the order of this Hon'ble High Court has been complied with in G.O.(2D) No.95, Environment and Climate Change and Forests (FR.2(ii)) Department, Dated 03.05.2023 subject to outcome of the Writ Appeal filed (USR.No.72926 of 2021) and according to the eligibility of the individuals, orders have been issued. Further in respect of the petitioner Thiru.R.Ramasamy (Sl.No.16) it was not considered vide G.O.(Ms) No.95, Environment and Climate Change and Forests (FR.2(ii)) Department, dated 03.05.2023 base don the directions issued under para 13 in the order as given below:

“As per the Judgment they have not been appointed to the post of Forest Watcher itself, the question of revision of seniority in the post of Forest Watcher does not arise.”

6) It is respectfully submitted that, a revised proposal in respect of Thiru.R.Ramasamy has since received from the office of the Principal Chief Conservator of Forest on



22.09.2023 and I am complying with this Hon'ble High Court's order dated 30.08.2019 subject to outcome of the Writ Appeal.

2. The second respondent filed an affidavit, wherein it is stated as follows:

4) It is respectfully submitted that this Hon'ble High Court was pleased to pass a common order on 30.08.2019 in W.P.No.18791 of 2019 and other 6 writ petitions and the operative portion of the order is given below:

Para: 10. Accordingly, all the present Writ Petitions are allowed as prayed for. No costs. It is made clear that the petitioners herein, on being regularized with effect from 24.01.1995 are not entitled to any monetary benefits, but they are entitled for counting of the service for the purpose of pension and other retirement benefits. It is also clarified that the direction of this Court would not be applicable to the petitioners whose serial numbers and writ petitions were given in para 13 of the counter affidavit.

Para: 11. The respondents are directed to pass appropriate orders granting regularization to the petitioners with effect from 24.01.1995 within a



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period of four weeks from the date of receipt of this order. No costs.

5) It is respectfully submitted that I am complying with this Hon'ble High Court's order dated 30.08.2019, subject to the outcome of the Writ Appeal.

3. Recording the said affidavits, this contempt petition stands closed.

No costs.

29.09.2023

Index: Yes/No
Internet: Yes/No
hvk

To

1. Dr. Supriya Sahu, I.A.S.,
Secretary,
Environment and Forest Department,
Fort St. George, Chennai – 600 009.

2. Dr. Ashok Upreti, I.F.S.,
The Principal Chief Conservator of Forests,
Panagal Building, Saidapet,
Chennai – 600 015.



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C.V.KARTHIKEYAN,J.

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