



Cont.P.No.1504 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE BATTU DEVANAND

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1.P.Muniasamy
2.P.Krishnamoorthy
3.V.Vasudevan
4.V.Raju
5.R.Easuraj
6.M.Arumugam
7.A.Subramanian
8.V.Vellakannu
9.R.Ruby Nirmala
10.R.Paramasivam

...Petitioners

-Vs-

1.Dr.Supriya Sahu I.A.S.,
The Additional Chief Secretary,
Environment and Forest Department,
Government of Tamil Nadu,
Fort St. George, Chennai - 600 009.

2.Dr.Ashok Upreti IFS,
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 to punish the respondents for their Willful disobedience in not



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complying with the order dated 07.10.2021 passed by this Court in W.P.No.21627 of 2021.

For Petitioners : Mr.S.Mani

For Respondents : Mr.S.Ravindran,
Senior Counsel

ORDER

This contempt case has been filed complaining the willful disobedience of the order dated 07.10.2021 in W.P.No.21627 of 2021 passed by this Court.

2. Relying the order dated 09.09.2021 in W.P.No.19023 of 2021 of this Court, this writ petition is disposed of with certain directions.

3. Earlier this Court prima facie satisfied that the respondents did not comply with the order of the Court in true letter and spirit and issued statutory notice to direct the respondents to appear before the Court. The first respondent is present before this Court on 05.06.2023, but the second respondent is absent.

4. On behalf of the first respondent, a report has been filed stating as compliance report. This Court is opined that in the said report, correct



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information is not furnished and accordingly, the first respondent sought time to file affidavit with correct particulars. As the second respondent is not present even after the statutory notice, this Court by its order dated 05.06.2023 directed the Commissioner of Police, Chennai City shall ensure the execution of the warrant issued by this Court and secure the presence of the second respondent before this Court by today. Accordingly, warrant is executed and the second respondent is produced before this Court by the Assistant Commissioner of Police, Chennai City and placed their report to that effect before the Court.

5. On behalf of the second respondent, an affidavit has been filed.

6. Mr.J.Ravindran, learned senior counsel appearing for the respondents would submit that the order of the court dated 07.10.2021 is complied with and the learned counsel for the petitioner also accepted the same.

7. However, on perusal of the record, this Court noticed that there is a delay of more than one year in complying the order in true letter and spirit.



With regard to the delay aspect, learned senior counsel submits that the respondents in their affidavit tendered unconditional apology for the delay caused in the implementation of the order. The respondents present before this Court today also submitted the same.

8. Having heard the submissions of the respective counsels and the respondents present before this Court and on careful perusal of the materials available on record, this Court is of the view that the order of the Court is complied with, however with some delay and on consideration of the unconditional apology tendered by the respondents for the delay, in our considered view as it is bonafide, it has to be accepted.

9. Under these circumstances, in our considered view, no further adjudication is required in this contempt case. Accordingly, this contempt case is **closed**.

10. In the light of the closure of this contempt case, the second respondent who is produced before this Court, on execution of the warrant issued by this Court earlier is enlarged on bail.



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11. Consequently, connected Sub-Application is closed, if any.

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Index:Yes/No

Speaking Order/ Non-Speaking Order

Neutral Citation : Yes/No



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BATTU DEVANAND, J.

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