



WEB COPY



Cont.P.No.1967 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.1967 of 2023

S.Muthuramalingam

...Petitioner

..Vs..

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

2.Dr.Syed Mozammil Abbas, I.F.S.,
The Principal Chief Conservator of Forests,
[Head of Forest Force],
Velachery Main Road, Guindy,
Chennai – 600 032.

...Respondents

PRAYER: Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971 praying to punish the respondents for their willful disobedience in not complying with the order dated 30.08.2019 passed by this Court in W.P.No.18803 of 2019.

For Petitioner : Mr.S.Mani

For Respondents : Mr.S.Ravi Kumar,
Special Government Pleader



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ORDER

WEB COPY The learned Special Government Pleader had produced a copy of

G.O.(2D) No.185, Environment, Climate Change and Forest [FR.2.ii]

Department, dated 26.09.2023, wherein it had been stated as follows:

“7.The Principal Chief Conservator of Forests has therefore requested the Government to issue order, to regularize the service of the petitioners Tvl.S.Muthuramalingam, M.Irudayanathan and P.Veeran as Forest Watchers from 24.01.1995 and notionally fix the pay for purpose of getting Pension by taking into account their seniority and qualification, on par with their juniors as per the Fundamental Rules of Tamil Nadu Government and the powers conferred under Section 58 of Tamil Nadu Government Servant [Conditions of Service] Act, 2016 relaxing rules 2 and 4 of the Special Rules of Tamil Nadu Forest Subordinate Services in favour of petitioner Thiru.Muthuramalingam and Rule 2, 4 & 5 in respect of Tvl.M.Irudayanathan and P.Veeran with respect to the method of appointment, educational qualification, age and height respectively as a special case and this cannot be taken as precedent in future writ petitions.

8.The Government, after careful examination,



accept the proposal of the Principal Chief Conservator of Forests and accord permission to the Principal Chief Conservator of Forests to regularize the service of the petitioners annexed to this orders as Forest Watchers notionally from 24.01.1995 by relaxing rules 2, 4 & 5 in respect of Tvl.S.Muthuramalingam, M.Irudayanathan and P.Veeran with respect to the method of appointment, age and other qualifications respectively as a special case subject to outcome of Writ Appeal to be filed and this cannot be taken as precedent in future Writ Petitions and they are not entitled to any monetary benefits and to claim any seniority for further promotion Panels, but they are entitled for counting of the service for the purpose of pension and other retirement benefits, taking into account his seniority and qualification, on par with their juniors as per Tamil Nadu Forest Subordinate Service provisions enshrined in Rule 27(17) of the Fundamental Rules of Tamil Nadu Government for entitled pension asper the Hon'ble High Court Order.

9.In exercise of the powers conferred under Section 58 of Tamil Nadu Government Servant [Conditions of Service] Act,2016, the Governor of Tamil Nadu hereby relaxes rule 2, 4 and 5 of the Special Rules of Tamil Nadu Forest Subordinate Services in favour of petitioners as



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annexed to this order with respect to the method of appointment, age and other qualifications respectively and ordered accordingly.”

2. Recording the same, this contempt petition stands closed. No costs.

29.09.2023

Index:Yes/No
Internet:Yes/No
hvk



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To

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C.V.KARTHIKEYAN,J.

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