



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.06.2025

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THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.No.24683 of 2014

M.Mohammed Iqbal Basha I.F.S
District Forest Officer (Rtd)

... Petitioner

Vs.

1.The State of Tamil Nadu
Rep by Principal Chief Conservator of Forest
Jennis Road,
Panagal Maligai,
Saidapet,
Chennai – 600 015.

2.The District Forest Officer
Kallakurichi Forest Division
Enthili Forest Campus
Kallakurichi.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari to call for the records on the file of the 2nd respondent made in Na.Ka.No.6218/09/Pa dated 20-08-2014 and quash the same.

For Petitioner : Mrs.Selvi George

For Respondents : Mr.S.Rajesh
Government Advocate.



ORDER

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This writ petition has been filed by the petitioner, who worked as District Forest Officer and retired from service, challenging the proceedings dated 20.08.2014, whereby he was asked to pay an amount of Rs.10,000/-, being the costs imposed by this Court in W.P.Nos.21980 & 21981 of 2010, dated 18.06.2014, to be recovered from the petitioner herein personally.

2. Through the impugned proceedings, the petitioner is required to pay the said amount of Rs.10,000/- which was imposed as costs in the order dated 18.06.2014 passed by this Court. On being asked, learned counsel for the petitioner fairly submitted that the order dated 18.06.2014 passed in W.P.Nos.21980 & 21981 of 2010 had attained finality. In view of the same and the orders passed by this Court directing the petitioner to pay a costs of Rs.10,000/- to be collected from the salary of the 2nd respondent therein, who is the petitioner herein, this Court does not see any reason to interfere with the impugned order. For the sake of clarity, the paragraph No.10 of the order dated 18.06.2014 passed by this Court is extracted hereunder:

“10.This Court, taking note of the repeated vindictive and motivated malafide attempt to prosecute the petitioner for discharging his duty and thereby repeatedly wasting the precious time of this Court, is inclined to impose costs of Rs.10,000/- (Rupees Ten Thousand Only) against the



WEB COPY

W.P.No.24683 of



second respondent, District Forest Officer, Kallkurichi payable to the petitioner, from his own salary. Accordingly, this writ petition is ordered. It is needless to mention that since the petitioner had reached the age of superannuation, the retiral benefits which the petitioner is legally entitled to also shall be disbursed, within a period of four weeks from the date of receipt of a copy of this order.”

From the above it is evident that the costs of Rs.10,000/- imposed by the above order is required to recovered from the salary of the petitioner.

3. The learned counsel for the petitioner contended that by the date of passing of the said order, the petitioner had already retired from service and therefore, recovery of the said amount from the salary of the petitioner does not arise. This Court is unable to agree with the said contention, as the said order dated 18.06.2014 had attained finality and merely because the petitioner retired from service will not absolve the petitioner from his liability.

4. In spite of the petitioner coming to know about the said order dated 18.06.2014 passed by this Court, the petitioner, admittedly, has not taken any steps to file any appeal or review against the said order.

5. In the light of the above, this Court does not find any error or illegality in the impugned order passed by this Court and accordingly, the writ



W.P.No.24683 of



petition is dismissed. No costs. Connected miscellaneous petitions, if any,
shall stand closed.

WEB COPY

16.06.2025

dpa

Index : Yes / No

Speaking order / Non-speaking order

Neutral Citation : Yes / No

To

- 1.The Principal Chief Conservator of Forest
State of Tamil Nadu
Jennis Road,
Panagal Maligai,
Saidapet,
Chennai – 600 015.
- 2.The District Forest Officer
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Enthili Forest Campus
Kallakurichi.

MUMMINENI SUDHEER KUMAR, J.

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WEB COPY

W.P.No.24683 of



W.P.No.24683 of 2014

16.06.2025