



CONT.P(MD)No.786 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.07.2025

CORAM

THE HONOURABLE MR.JUSTICE **SHAMIM AHMED**

CONT.P(MD) No.786 of 2022

in

W.P.(MD) No.5634 of 2019

A.Mariappan
S/o.Arunachalam,
No.2/232, Veda Koil Street,
Naranapuram,
Sivagiri Taluk,
Tirunelveli District.

... Petitioner

vs.

Thiru.K.Bhargava Teja,
The Member Secretary,
Tamil Nadu Forest Uniformed Services
Recruitment Committee,
8th Down Floor,
Panagal Building,
Saidapet, Chennai.

... Respondent

PRAYER: Contempt Petition filed under Section 11 of the Contempt of Court to punish the contemnor/respondent for his deliberate and wilful disobedience of the order of this Court, dated 30.01.2022 in W.P.(MD) No.5634 of 2019 amounting to contempt of Court under Article 215 of the Constitution of India read with Section 11 of the Contempt of Courts Act, 1971.

For Petitioner

:Ms.Vanitha for
Mr.T.Cibi Chakraborty



WEB COPY



CONT.P(MD)No.786 of 2022

For Respondent :Mr.F.Deepak
Special Government Pleader

ORDER

This Contempt Petition has been filed to punish the contemnor/respondent for wilfully disobeying and not complying with the order of this Court passed in W.P(MD) No.5634 of 2019, dated 31.01.2022.

2.Heard Ms.M.Vanitha learned counsel representing Mr.T.Cibi Chakraborty, learned counsel for the petitioner and Mr.F.Deepak, learned Special Government Pleader for the respondent.

3.The Co-ordinate Bench of this Court, vide judgment and order dated 31.01.2022, had disposed of the aforesaid writ petition with the following directions:-

"24.The non-inclusion of the petitioner's candidature in the final list is thus clearly erroneous both for aforesaid reasons as well and the fact that no flaws are pointed out in certificate bearing no.00204377 dated 01.02.2019. The Mandamus, as sought for, is thus issued, directing the respondent to approve the petitioner's candidature and issue an order of appointment in the post of Forest Guard with Driving Licence, forthwith and in any event within a period of four (4) weeks from today. "



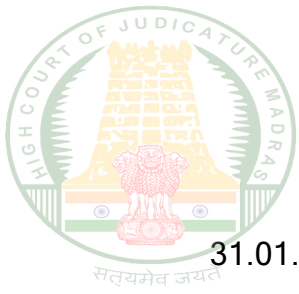
CONT.P(MD)No.786 of 2022

WEB COPY

4.The learned counsel for the petitioner submits that challenging the judgment and order passed in W.P.(MD) No.5634 of 2019, dated 31.01.2022, the respondent has preferred an appeal in W.A.(MD) No.1058 of 2022 before this Court, which was dismissed by the Hon'ble Division Bench of this Court, vide judgment and order, dated 26.09.2023. Challenging the Division Bench judgment and order dated 26.09.2023, the respondent has preferred Spl.Leave Petition (Civil) Diary No.7815/2024 before the Hon'ble Supreme Court and the same was also dismissed on 11.03.2024.

5.Thus, the learned counsel for the petitioner submits that in spite of the dismissal of the Writ Appeal as well as the Special Leave Petition, the respondent has not complied with the directions of this Court and has wilfully and deliberately flouted the order passed by this Court and is in contempt of the order of this Court dated 31.01.2022. Thus, he should be summoned and punished by exercising the powers under Sections 11 and 12 of the Contempt of Courts Act, 1971.

6.Today, when the matter is taken up, Mr.F.Deepak, learned Special Government Pleader for the respondent has filed an affidavit of compliance of the respondent, annexing a copy of the decision taken by the Principal chief Conservator of Forests (Head of Forest Force), dated 27.11.2024, in which it has been stated that the direction issued by this Court, vide order dated

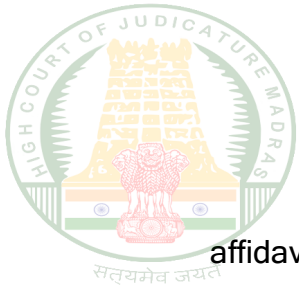


CONT.P(MD)No.786 of 2022

31.01.2022, in W.P.(MD) No.5634 of 2019 has been fully complied with and the petitioner was appointed as Forest Guard and now, he is working in Nilgiri Division, Mudhumalai Tiger Reserve. In paragraph No.5 of the compliance affidavit filed by the respondent, the aforesaid fact has been clearly stated, which reads as under:-

“5.The Respondent humbly submits that, Immediately in compliance of the order the Chairman/Principal Chief Conservator of Forests, TNFUSRC in Ref. No. TNFUSRC-1/11406/2019 requested the Principal Chief Conservator of Forests (Administration) to issue appointment Order to the Petitioner. Aforesaid, order of the Hon'ble Court is complied with Ref.No.AB2/5839/2019, Dated: 27.11.2024 by issuing appointment order to the post of Forest Guard with Driving License. The efforts were taken to comply with the Hon'ble Court order. And the Petitioner joined duty on 24.12.2024 (F.N) and currently working in Nilgiri Division, Mudhumalai Tiger Reserve. It is respectfully submitted that the order of the Hon'ble High Court dated 31.01.2022 is complied. It is humbly submitted that there is neither wilful nor any wanton delay in this matter. ”

7.Thus, he submits that the respondent may be discharged from the present contempt proceedings, as the judgments and orders of this Court in W.P.(MD) No.5634 of 2019, dated 31.01.2022 and in W.A.(MD) No.1058 of 2022, dated 26.09.2023 and the Hon'ble Supreme Court in Spl.Leave Petition (Civil) Diary No.7815/2024, dated 11.03.2024 have been fully complied with by the respondent, vide order dated 27.11.2024. A copy of the compliance



CONT.P(MD)No.786 of 2022

affidavit filed by the respondent has been produced before this Court, which is now taken on record and a copy of the same has also been given to the learned counsel for the petitioner.

8.Ms.M.Vanitha learned counsel representing Mr.T.Cibi Chakraborty, learned counsel for the petitioner submits that she has received a copy of the compliance affidavit filed by the respondent, annexing a copy of the decision taken by the Principal chief Conservator of Forests (Head of Forest Force), dated 27.11.2024 and has no objection, if the respondent is discharged from the contempt proceedings, as the judgment and order dated 31.01.2022, 26.09.2023 and 11.03.2024 has been fully complied with by the respondent, vide order dated 27.11.2024. She further submits that the petitioner was appointed as Forest Guard and now, he is working in Nilgiri Division, Mudhumalai Tiger Reserve.

9.Accordingly, in view of the submissions made by the learned counsels for the parties and after perusal of the judgment and order made in W.P.(MD) No.5634 of 2019, dated 31.01.2022, in W.A.(MD) No.1058 of 2022, dated 26.09.2023 and in Spl.Leave Petition (Civil) Diary No.7815/2024, dated 11.03.2024 and the compliance affidavit filed by the respondent, annexing a copy of the decision taken by the Principal chief Conservator of Forests (Head of Forest Force), dated 27.11.2024 and also considering the fact that the



CONT.P(MD)No.786 of 2022

petitioner was appointed as Forest Guard and now, he is working in Nilgiri Division, Mudhumalai Tiger Reserve, this Court satisfied that the direction issued by this Court in W.P.(MD) No.5634 of 2019, dated 31.01.2022 has been fully complied with by the respondent and thus, no useful purpose will be served in continuing the present contempt proceedings against the respondent.

10.Accordingly, the Contempt Petition is finally disposed of and the respondent is discharged from the present contempt proceedings. No costs. The file is consigned to record.

Index :Yes / No
Internet :Yes / No

09.07.2025

mm

To

The Member Secretary,
Tamil Nadu Forest Uniformed Services
Recruitment Committee,
8th Down Floor,
Panagal Building,
Saidapet, Chennai.



WEB COPY



CONT.P(MD)No.786 of 2022

SHAMIM AHMED, J.

mm

CONT.P(MD) No.786 of 2022

09.07.2025