



SUB A(MD) NO. 229 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26-06-2025

CORAM

THE HONOURABLE MR.JUSTICE SHAMIM AHMED

SUB A(MD) NO. 229 of 2023

IN

CONT P(MD) SR NO. 60348 OF 2023

M.Rajalakshmi
W/o (Late) T.Muniyasamy,
Forest Guard, Vazhuthur village,
Vazhantharavi Post, Ramanathapuram Taluk,
Ramanathapuram District 623 536

Petitioner

Vs

1. Supriya Sahu Ias
The Secretary to Government Environment and
Forest Department
Secretariat, Fort St. George,
Chennai - 600 009

2. Subrat Mohapatra, IFS
The Principal Chief Conservator of Forest
(Head of Forests)
Panagal Buildings, Saidapet
Chennai - 600 015
Now this office situated at
Velacherry Main Road
Guindy, Chennai - 32

3. S.Hemalatha
The District Forest Officer cum Wild Life Warden
Ramanathapuram Division
Ramanathapuram.

Respondents



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PRAYER: This application is filed under Section 151 of CPC, to allow the sub application petition and the contempt petition in Cont.P.(MD) SR.No.60348 of 2023 as an emergent application due to the death of petitioner husband late.T.Muniyasamy in the main writ petition and to initiate contempt of Court proceedings against the contemnors/respondents 1 to 3 for wilful disobedience herein for the non compliance of the order to punish the contemnors.

For Petitioner : Mr.I.Kanna Patel

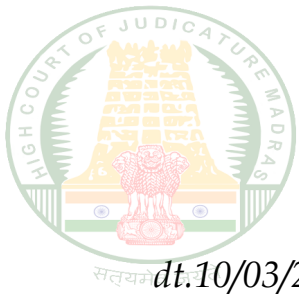
For Respondents: Mr.D.Sadiq Raja
Additional Government Pleader

ORDER

The present sub-application has been filed to number the Contempt Petition bearing Cont.P.(MD)SR.No.60348 of 2023.

2.Mr.I.Kanna Patel, learned counsel appearing through 'video conferencing' for the petitioner submits that the present sub application has been filed by the wife of Mr.Late.T.Muniyasamy, who has filed a writ petition bearing W.P.(MD) No.22033 of 2019 before this Court for the following relief:-

“to issue a Writ of Mandamus, directing the respondents to appoint and promote the petitioner as Forest Watcher with effect from the date of his juniors appointment and promotion by considering the petitioner representation dt.02/08/2018 in the light of the order passed in W.P.No.15561 of 2006



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dt.10/03/2008, W.A.No.690 of 2008 dt.13/10/2009, WP.No.23374 of 2008 dt.30/10/2009, W.A.No.607 of 2010 dt.20/03/2010 and Government Letter of the first respondent dt.03/03/2017 with all consequential benefits."

3.The Co-ordinate Bench of this Court, vide judgment and order dated 18.10.2019, had disposed of the said writ petition with the following directions:-

4.Dealing with the subject matter, in detail, the Division Bench of this Court has passed an order on 27.03.2018 in W.A(MD)Nos.51 of 2018 and etc batch cases, analysing all the corresponding G.Os in the Judgment and ultimately, observed in paragraph No.31(v) as follows:-

"So far as W.P(MD)No.6678 of 2017 is concerned, though the petitioner seeks for promotion to the post of Plot Watcher, the same is a misnomer as it is not a promotion, but absorption in the post of Forest Watcher. Therefore, whatever the relief granted to the other petitioner, shall enure in favour of this petitioner also and the Writ Petition stands disposed of accordingly."

5.Agreed with the same, this Writ Petition stands disposed of in similar line. No costs."

4.It was further submitted that the petitioner's husband, namely, Mr.Late.T.Muniyasamy, who has filed a writ petition bearing W.P.(MD) No.22033 of 2019, died on 03.03.2023. Therefore, the petitioner, namely, M.Rajalakshmi, has filed



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the present sub-application on behalf of his husband, as she is the legal heir of her deceased husband.

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5.The learned counsel for the Petitioner further submits that despite the judgment and order passed by this Court in W.P.(MD)No.22033 of 2019, dated 18.10.2019, the respondents/contemnors have not complied with the directions of the Writ Court and they have wilfully and deliberately flouting the orders passed by this Court, dated 18.10.2019. Thus, the learned counsel submits that the present sub application may be allowed and the Contempt Petition may also be numbered and the respondents should be summoned before this Court and punished for committing contempt by exercising the powers under Sections 11 and 12 of the Contempt of Courts Act, 1971.

6.Mr.D.Sadiq Raja, learned Additional Government Pleader takes notice for the respondents. Therefore, no notice is required to be issued to the Respondents.

7.Mr.D.Sadiq Raja, learned Additional Government Pleader, who accepted notice on behalf of the respondents, prays this Court that a last opportunity may be given to the respondents to make compliance of the judgment and order made in W.P.(MD)No.22033 of 2019 dated 18.10.2019 and the respondents will file a compliance affidavit, annexing a decision taken by them on the next date of hearing fixed.



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8. Accordingly, after hearing the learned counsel for the parties, after perusal of the judgment and order made in W.P.(MD) No.22033 of 2019 dated 18.10.2019 and also considering the request made by the learned Additional Government Pleader for the respondents/contemnors and also considering the averments made in the affidavit filed in support of this petition, **this Sub Application is allowed** and the Office is directed to number the Contempt Petition within a period of one week from today.

9. Further, as a last chance, this Court grants 10 days and no more further time to the respondents/contemnors to make full compliance of the directions issued by this Court in W.P.(MD) No.22033 of 2019, dated 18.10.2019 and to file an affidavit of compliance in this regard, annexing a decision taken by them. The decision taken by the respondents shall also be communicated to the applicant, namely, M.Rajalakshmi, who is the wife of Mr.Late.T.Muniyasamy, by the respondents through RPAD on or before the next date of hearing.

10. It is made clear that if the judgment and order, dated 18.10.2019, is not complied with on or before the next date fixed, the respondents are directed to appear in person before this Court on the next date of hearing and justify as to why the judgment and order dated 18.10.2019 is not complied with and as to why contempt proceedings should not be initiated as against them.



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11. Put up this case 'for orders' on 23.07.2025 before the appropriate Bench. Let a copy of this order be issued to Mr.D.Sadiq Raja, learned Additional Government Pleader for the respondents for its necessary compliance and information.

sd/-
26/06/2025

/ TRUE COPY /

/06/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

MM

TO

1 THE SECRETARY TO GOVERNMENT
ENVIRONMENT AND FOREST DEPARTMENT
SECRETARIAT, FORT ST. GEORGE,
CHENNAI - 600 009

2 THE PRINCIPAL CHIEF CONSERVATOR OF FOREST
(HEAD OF FORESTS)
PANAGAL BUILDINGS,
SAIDAPET
CHENNAI - 600 015
NOW THIS OFFICE SITUATED AT
VELACHERRY MAIN ROAD,
GUINDY, CHENNAI -32



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3 THE DISTRICT FOREST OFFICER CUM
WILD LIFE WARDEN
RAMANATHAPURAM DIVISION
RAMANATHAPURAM.

COPY TO

Mr.D.SADIQ RAJA,
ADDITIONAL GOVERNMENT PLEADER,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
SUB A(MD) No.229 of 2023
IN
CONT P(MD) SR No.60348 of 2023
Date :26/06/2025

NM/09.07.2025/ 7P/5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023