

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 28.08.2015

CORAM

THE HONOURABLE MR. JUSTICE T.S.SIVAGNANAM

Contp. Nos. 1501,1502 &
1532 of 2015

B.S.Ranganathan .. Petitioner in
Cont.P.No.1501/2015

R.Dorairaj ... Petitioner in
Cont.P.No.1502/2015

A.Chithra ... Petitioner in
Cont.P.No.1532/2015

Vs

C.Vijayaraj Kumar
Managing director
Tamil Nadu Water Supply and Drainage Board
No.31, Kamarajar Salai
Chepauk, Chennai 600 005. ... Respondent in all Cont.Ps.

PRAYER : Petitions filed under section 11 of the Contempt of Courts Act, to initiate contempt proceedings against the respondent herein under section 11 of the Contempt of Courts Act 1971 for his willful disobedience to comply with the order of this Court in W.P.Nos.14156, 14155 & 14154 of 2002 dated 01.02.2013, and punish him.

For Petitioners :Mr.G.V.Arivusudar
for M/s Law Square

For Respondent : Mrs.S.Thamizharasi

C O M M O N O R D E R

Heard the learned counsel appearing for the petitioners and the learned counsel appearing for the respondent.

2. Pursuant to the orders passed by this Court in W.P.Nos. 14156, 14155 & 14154 of 2002 dated 01.02.2013, the respondent has passed B.P.Ms.Nos.35,37 & 36 dated 27.07.2015, imposing the punishment of compulsory retirement on the petitioners. So far as the earlier punishments of penalty of withdrawing the entire pension permanently and withholding of the entire DCRG for their proportionate share in the loss incurred by the Board, the same were modified as 'penalty of recovery of 1/3rd of pension and gratuity under Rule 39 of Tamilnadu Pension Rule.'

3. The learned counsel for the petitioners submitted that the proportionate recovery will be excess of the alleged loss and in fact the punishments imposed in B.P.Ms.Nos. 35,37 & 36 are more severe than the recovery imposed earlier.

4.If the petitioners have got any grievance over the orders passed by the Board with regard to proportionality, they have to challenge the orders passed in B.P.Ms.Nos. 35,37 & 36. Accordingly, reserving right to the petitioners to challenge the orders passed in B.P.Ms.Nos. 35,37 & 36, the above Contempt Petitions are closed. No costs.

rpa

SD/-
DEPUTY REGISTRAR (CLAA)

//Certified to be true copy//

Dated at Madras this the day of 2015.

COURT OFFICER (O.S.)

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SS/CO/05/11/2015

Three CCs to M/s.Law Square, Sr.No.11315 and 11316

Three Ccs to M/s S.Thamizharasi, Advocate, Sr.No.11227, 11228, and 11229.

सत्यमेव जयते
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