

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 06.11.2015

CORAM

THE HONOURABLE MR.JUSTICE S.MANIKUMAR

Cont.P.No.542 of 2015

I.K.Kanniappan

.. Petitioner

Versus

1.Dr.M.Sai Kumar, I.A.S.,
Chairman,
Tamilnadu Electricity Board,
(Now known as Tamil Nadu Generation &
Distribution Corporation Ltd.,)
NPKRR Maligai, 800/144, Ann Salai,
Chennai - 600 002.

2. Mr.N.Balakrishnan
Chief Engineer (Distribution),
Vellore Region,
Tamilnadu Electricity Board,
(Now known as Tamil Nadu Generation &
Distribution Corporation Ltd.,)
Gandhi Nagar, Vellore - 632 006

.. Respondents

Prayer: This Contempt Petition filed under Section 11 of the Contempt of Court Act, 70/71 to punish the respondents for having committed contempt of Court for disobeying the order dated 04.03.2011 and made in W.P.(MD) No.33704 of 2002.

For Petitioner

: Mr.K.M.Ramesh

For Respondents

: Ms.R.Varalakshmi
for TNEB

O R D E R

On this day, when the matter came up for hearing,
Proceedings of the Chief Engineer/Distribution/ Vellore,

06.04.2015, sanctioning the difference in Gratuity, is produced.

2. According to the learned counsel for the petitioner, as per the provisions of Payment of Gratuity Act, interest should have been calculated at 12% per annum. However, Ms.R.Varalakshmi, learned counsel for the alleged contemnors submitted that though, payments have been made as early as on 05.08.2015, contempt petitioner has not objected to the rate of interest.

3. The only dispute, which remains to be adjudged is whether the amount paid vide proceedings dated 06.04.2015, is after taking into consideration the rate of interest, as provided for in the statute viz., Payment of Gratuity Act and the Government Orders issued. As per the proceedings dated 06.04.2015, the rate of interest on the outstanding from 01.05.1995 to 31.03.2015, is 10%.

4. In the light of the above, this Court deems it fit to permit the petitioner to make a representation to the Chairman, TNEB, Chennai, as well as to the Chief Engineer (Distribution), TNEB, Vellore Region, regarding the unpaid interest amount on the gratuity, as per the statutory provisions and the Government orders issued from time to time, within two weeks from the date of receipt of a copy of this order. On receipt of such representation, Chairman, TNEB, Chennai, the 1st respondent is directed to pass appropriate orders, within a period of three weeks from the

date of receipt of the representation.

5. With the above directions, the Contempt Petition is closed. No costs.

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SD/-

DEPUTY REGISTRAR (CLAA)

//Certified to be true copy//

Dated at Madras this the day of 2015.

COURT OFFICER (O.S.)

From 25th Day of September 2008 the Registry is issuing certified copies of the Orders/Judgments/Decrees in this format.

SS/CO/24/11/2015

One CC to Mr.K.M.Ramesh, Advocate, Sr.No.14060

To

1.The Chairman
Tamil Nadu Electricity Board,
(Now known as Tamil Nadu Generation and
Distribution Corporation Ltd.,)
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