

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.07.2015

CORAM

THE HON'BLE MR.JUSTICE T.RAJA

Contempt Petition Nos.742 and 813 of 2015

P.Ramakrishnan .. Petitioner in Contempt
Petition No.742 of 2015
V.K.Mohandoss .. Petitioner in Contempt
Petition No.813 of 2015

vs.

1.Shri R.K.Mathur,
Secretary to Ministry of Defence,
Government of India, New Delhi.
2.Brigadier S.Suresh Kumar,
The Commandant,
Maddras Regimental Centre,
Wellington,
The Nilgiris District,
Tamil Nadu. .. Respondents in the
above Contempt Petitions

Contempt Petition No.742 of 2015 has been filed under section 11 of the Contempt of Court Act 1971 to punish all the respondents for their willful disobedience to the order dated 17.2.2014 made in W.P.No.16521 of 2011.

Contempt Petition No.813 of 2015 has been filed under section 11 of the Contempt of Court Act 1971 to punish all the respondents for their willful disobedience to the order dated 17.2.2014 made in W.P.No.16522 of 2011.

For petitioners : Mr.V.J.Arul Raj

For respondents : Mr.A.Kumaraguru,
Senior Central Government
Standing Counsel

COMMON ORDER

Heard Mr.V.J.Arul Raj, learned counsel appearing for the petitioners and Mr.A.Kumaraguru, learned Senior Central Government Standing Counsel, appearing for the respondents.

2. Learned counsel appearing for the petitioners would submit that pending these two Contempt Petitions, MOUs have been reached between the petitioners and the respondents by which the petitioners have been paid a lumpsum amount and the same has also been accepted by the petitioners. However, the petitioners feel that as a small amount has been paid towards full and final settlement of the entire claim of the petitioners, the matter may be referred to the Mediation and Conciliation Centre so that the petitioners may get higher amount. Adding further, the learned counsel for the petitioners would submit that if the respondents move the Apex Court if for any reason, the petitioners are not in a position to challenge the same. Therefore, if the matter is referred to the Mediation and Conciliation Centre, it would serve the purpose.

3. On the other hand, the learned Senior Central Government Standing Counsel for the respondents would submit that there is a ego problem between the learned counsel for the petitioners and the petitioners and as a matter of fact, the respondents have settled the matter amicably by virute of MOU as sought for by the petitioners. Therefore, the petitioners are bound by the MOUs entered between the petitioners and the respondents. The petitioners were also assured of two more years

<https://hcservices.ecoan.gov.in/hcservices/empdonly/hcservices/> till they reach the age of 60 years.

4. On consideration the submissions made, this Court is of the view that when the petitioners have willingly signed the MOU, the question of referring the matter to the Mediation and Conciliation Centre does not arise and also the petitioners on their own volition reached the MOU by which they have got their dues settled. Therefore, nothing survives in the Contempt Petitions. The Contempt Petitions are closed. The personal appearance of the second respondent, Mr.S.K.Sangwan, is dispensed with.

asvm

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/21/08/2015

Two Ccs to Mr.M.J.Arul Raj, Advocate Sr.No.9887 and 9886
One CC to Mr.A.Kumara Guru, Advocate Sr.9929

To

1.The Secretary to Ministry of Defence,
Govt of India,
New Delhi.

2.The Commandant,
Madras Regimental Centre,
Helligdon, The Nilgiris District,
Tamil Nadu.