

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.06.2015

CORAM

THE HON'BLE MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
and
THE HON'BLE MR. JUSTICE T.S.SIVAGNANAM

Contempt Petition No.3365 of 2014

M.Palani Vadivelu ... Petitioner

Vs

K.Muniyandi,
The General Manager,
Tamil Nadu State Transport Corporation,
Kumbakonam (Division IV) Limited,
Pudukottai. ... Respondents

Contempt Petition filed under Sections 11 and 12 of
the Contempt of Courts, Act, 1971 punish the respondent for
the wilful disobedience of the order passed by this Court
in Contempt Petition No.1384 of 2013, dated 16.09.2013.

For Petitioner .. Mr.R.Sivakumar

For Respondent .. Mr.V.R.Kamalanathan

ORDER

(Order of the Court was made by The Hon'ble Chief
Justice)

<https://hcservices.ecourts.gov.in/hcse/One> hearing the learned counsel for parties, we are
of the view that strictly speaking the contempt petition is

not maintainable, as the grievance of the petitioner flows from the denial of his prayer for voluntary retirement, after a prolonged battle with the respondent Corporation over his right to serve in the Corporation on suffering physical disability during service. This request has been summarily rejected by the respondent without giving any calculations/reasons as to how the petitioner does not have eligible service.

2. Though we are not inclined to maintain the contempt petition, we consider it appropriate to direct the Managing Director (Appellate Authority before whom the appeal is pending) to look into the case of the petitioner and find out the eligibility for voluntary retirement, keeping in mind the period already served. The details of calculations should be transmitted to the petitioner and the necessary exercise be undertaken within one month from today.

3. If the petitioner is still aggrieved, taking into consideration the long battle, we consider it appropriate to grant leave to file writ proceedings assailing the decision, which will be listed before this Bench.

4. The Contempt Petition, accordingly, stands disposed of.

Bbr

SD/
DEPUTY REGISTRAR(OS)

//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/12/06/2015

One CC to Mr.R.Sivakumar, Advocate, SR.6779

One CC to Mr.V.R.Kamalanathan, Advocate, SR.6853

To
The General Manager,
Tamil Nadu State Transport Corporation,
Kumbakonam (Division IV) Limited,
Pudukottai.

सत्यमेव जयते

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