

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.01.2016

CORAM

THE HON'BLE MR.JUSTICE S.NAGAMUTHU

Contempt Petition No.1064 of 2015

P.Moorthy

.. Petitioner

Vs.

1. P.P.Rajendran

The Managing Director
The Metropolitan Transport Corporation
Pallavan House, Anna Salai
Chennai 600 002.

2. Balakrishnasamy

The Managing Director
The Metropolitan Transport Corporation
Pallavan House, Anna Salai
Chennai 600 002.

... Respondents

(R2 impleaded as per the order dated
16.12.2015 in Cont.P.No.1064 of 2015)

Petition against the wilful disobedience of the order
dated 19.01.2012 made in W.P.No.22684 of 2004.

For Petitioner

: No appearance

For Respondents

: Mr.P.Paramasivados

Standing Counsel

ORDER

This petition has been filed alleging that the respondents have committed contempt of Court by disobeying the order of this Court dated 19.01.2012 made in W.P.No.22684 of 2004. In pursuance of the statutory notice issued, Mr.Balakrishnasamy, the Managing Director, Metropolitan Transport Corporation, Pallavan House, Anna Salai, is present before this Court. He has also filed a counter stating that he has fully complied with the order of this Court.

2. There is no representation for the petitioner, nor the petitioner is present in Court. It appears that the petitioner is not interested in prosecuting the matter further.

3. A perusal of the counter would show that the period during which the petitioner was out of employment has been taken into service period for the purpose of pension, since the Labour Court has awarded continuity of service. The learned counsel would further submit that the pension amount was fixed based on the contribution made. In other words, since there was no contribution made by the employee

for certain period, that was also taken note of as per the Pension Rules. Thus, the order has been complied with. The same is recorded.

4. In view of the above, I find nothing survives any more for adjudication. In the result, the contempt petition is closed and the contemnors are discharged.

kpl

SD/-
DEPUTY REGISTRAR (CLAA)

//Certified to be true copy//

Dated at Madras this the day of 2016.

COURT OFFICER (O.S.)

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SS/CO/02/02/2016

One CC to Mr.S.Sivakumar, Advocate, Sr.No.233/16

One CC to Mr.P.Paramasivadoss, Advocate, Sr.No.266/16