

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.06.2016

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

Cont.P.No.2580 of 2015

and

Sub.A.No.164 of 2016

V.Balachandar ... petitioner

Versus

1.Thiru A.V.Ravi
Chief Engineer/Personnel,
Tamil Nadu Generation and Distribution
Corporation Limited.,
No.144, Anna Salai, Chennai - 600 002.

2.Thiru N.Sadayappavallal
Superintending Engineer (P & A)
Ennore Thermal Power Station,
TANGEDCO, Chennai - 57. Respondents

Contempt Petition filed under Section 11 of the
Contempt of Court act to punish the respondent for their
wilful disobedience in implementing the order of the
Hon'ble High Court passed in M.P.No.2 of 2015, in
W.P.No.33352 of 2015 dated 14.10.2015.

For petitioner : Mr.S.N.Ravichandran

For Respondents : Mrs.R.Varalakshmi

O R D E R

The petitioner, aggrieved by the non compliance of the
interim order dated 14.10.2015 made in M.P.No.2 of 2015 in
W.P.No.33352 of 2015, in and by which, this Court has
granted interim order of status quo, has filed this

contempt petition.

2. It is represented that the writ petition along with W.P.No.33353 of 2015 filed by another person viz., E.Venkatesan came to be dismissed on 08.01.2016 and the petitioner made a challenge by filing W.A.No.118 of 2016 and in the light of the undertaking given by the learned Standing Counsel appearing for TANGEDCO that posting orders will be issued on 16.02.2016, the Division Bench has directed the petitioner to join duty. Accordingly, posting orders were given on 25.02.2016 and the petitioner has joined the duty on 26.02.2016. The grievance now expressed by the petitioner is that from the date of transfer order on 12.10.2015 till joining duty on 26.02.2016, he has not been paid with salary and prays for appropriate orders.

3. *Per contra*, the learned counsel appearing for the contemnor would submit that in the light of the order, dismissing the writ petition coupled with the order passed in W.A.No.118 of 2016, the petitioner was permitted to join duty and accordingly he joined duty on 26.02.2016 and since he availed medical leave, he is yet to submit fitness certificate and as and when the certificate is given, necessary orders will be passed as to the payment of salary for the said period.

4. In the light of the said submission made by the learned counsel appearing for the respondent/contemnor, on instructions, the petitioner is permitted to submit a representation by enclosing the relevant documents for

regularisation of the said period and also for payment of salary, within a period of one week from the date of receipt of a copy of this order and the respondent/contemnor, on receipt of the same, is directed to consider the said representation on merits and in accordance with law and pass orders within a period of two weeks thereafter and communicate the decision taken, to the petitioner.

This Contempt Petition is closed subject to the above observation. Consequently, connected sub application is also closed.

vsm

SD/
JOINT REGISTRAR(OS)

//Certified to be true copy//

Dated at Madras this the day of 2016.

COURT OFFICER(O.S.)

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

To

1.The Chief Engineer/Personnel,
Tamil Nadu Generation and Distribution
Corporation Limited.,
No.144, Anna Salai, Chennai - 600 002.

2.The Superintending Engineer (P & A)
Ennore Thermal Power Station,
TANGEDCO, Chennai - 57.

CO/17/06/2016