

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 16.12.2016

CORAM

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

Cont.P.No.2667 to 2674 of 2015 (8 Cases)

Contempt Petition No.2667 of 2015

Rajeev K. ... Petitioner in Cont.P.No.2668/2015
 N.Subburathnam ... Petitioner in Cont.P.No.2669/2015
 R.Saravanan ... Petitioner in Cont.P.No.2670/2015
 Karunakar sial ... Petitioner in Cont.P.No.2671/2015
 Rajesh Kumar Sharma... Petitioner in Cont.P.No.2672/2015
 Prakash Kumar P.C ... Petitioner in Cont.P.No.2673/2015
 S.K.Senthil Kumar ... Petitioner in Cont.P.No.2674/2015

Versus

O.K.Ganesh,
 Indian Overseas Bank,
 Chief Manager,
 Personnel Admn. Department,
 Central Office, Indian Overseas Bank,
 763, Anna Salai, Chennai - 600 002 ... Respondent

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 28.11.2014 and made in M.P.No.2 of 2014 in W.P.No.31231 of 2014 order dated 09/02/2015 in M.P.No.2/14 in W.P.No.31223/14, order dated 09/12/15 in M.P.No.2/14 in W.P.No.31224/14, order dated 09/2/15 in M.P.No.2/14 in W.P.No.31229/14, Order dated 9/2/15 in M.P.No.2/14 in W.P.No.31229/14 , order dated 9/12/15 in M.P.No.2/14 in W.P.No.31226/14, order dated 9/2/15 in M.P.No.2/14 in W.P.No.31227/14, order dated

9/2/15 in M.p.No.2/14 in W.P.No.31228/14 and thus render justice.

For Petitioner : Mr.M.Selvaraj
in all cases
For Respondent : Mr.K.K.Sivashanmugam
in all cases

C O M M O N O R D E R

Alleging that the common order passed by this Court on 28.11.2014 and extended on 09.02.2015 has been disobeyed, the present contempt petitions have been filed.

2. Learned counsel appearing for the petitioners submitted that though the stay pertaining to recovery has been complied with, the original salary has not been reversed.

3. The learned counsel appearing for the respondent/contemnor submitted that while there is no dispute that the recovery has been kept in abeyance, taking into consideration of the fact that the reversal of the pay having been made and given effect to earlier, the same was not restored. The said act is neither willful nor contumacious.

4. It is not in dispute that the reversal of pay was made much prior to the interim order, granted by this Court. It is also not in dispute that the recovery has been kept in abeyance, pursuance to the orders of this Court. Thus, this Court is of the view that there is no willful disobedience. Hence, the Contempt Petitions are closed. No costs.

Sd/-
JOINT REGISTRAR (OS)

//Certified to be true copy//

Dated at Madras this the day of 2017.

COURT OFFICER(O.S.)

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CO/27/01/2017

One CC to Mr.K.K.Sivashanmugham, Advocate, Sr.No.16451/16
One CC to Mr.K.K.Sri Giriprasath , Advocate, Sr.No.16620/16

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