



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.12.2016

CORAM :

THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

Contempt Petition(MD)No.1606 of 2016

in W.P(MD)No.7817 of 2011

Tmt.S.Pushpavalli

... Petitioner/Petitioner

-vs-

1)Mr.Arul Goyal,
The Senior Accounts Officer,
O/o. the Principal Accountant General (A & E) Tamil Nadu,
No.361, Anna Salai,
Chennai-600 018.

2)Mr.Rajendran,
The District Educational Officer,
Thanjavur,
Thanjavur District.

3)M.Vasanthi,
The Assistant Elementary Educational Officer,
Budalur,
Thanjavur District-613 604.

... Contemnor/Respondents

Prayer: This contempt petition is filed under Section 11 of the Contempt of the Courts Act, 1971 to initiate contempt proceedings against the Contemnors / Respondents and punish them for the wilful disobedience of the order of the Honourable High Court in W.P(MD) No.7817 of 2011 dated 26.08.2014.

Prayer in WP(MD). 7817/ 2011 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court pleased to issue a Writ of Certiorarified Mandamus or any other appropriate writ or order or direction, in the nature of a writ to call for the records from the Ist respondent herein relating to this proceedings No. Pen.33/6/23304091/FP/10-11/ADK dated 12.05.2011 and quash the same and consequently direct the Ist respondent to pay the family pension to the petitioner from 04.06.1989 onwards with all attendant monetary benefits and pass such further or other orders as this Hon ble court may deem fit.



For Petitioner : Mr.J.Lawrance
For R1 : Mr.P.Gunasekaran
For R2 & R3 : Mr.M.Rajarajan
Government Advocate

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O R D E R

This contempt petition has been filed for punishing the respondents for having not obeyed the order of this Court made in W.P(MD) No.7817 of 2011, dated 26.08.2014, wherein, this Court has passed the following order:-

'7.In view of the above, the writ petition is allowed with a direction to the respondents to sanction family pension to the petitioner on account of the demise of Mr.Singaram, who was working as Selection Grade Higher Grade Assistant in a Panchayat Union Middle School at T.Kallupatti, Thanjavur District. The consequential order shall be passed by the second respondent, within a period of eight weeks from the date of receipt of a copy of this order, and the first respondent shall sanction the amount within a further period of eight weeks.'

2.Pursuant to the abovesaid order, the respondents have complied with the order, by directing payment of pensionary benefits together with arrears to be paid. This fact has been accepted by the petitioner in paragraph 9 of his affidavit filed in support of the present contempt petition, wherein, she has stated as follows:-

'I further submit that even as per the communication dated 06.04.2016/ 13.04.2016 issued by Contemnor/1st respondent the Accounts Officer/Pension Office of the Accountant General (Accounts and Entitlement) Tamil Nadu in No.Ag (A&E) /Pen13/4/11309127/FP/2015-16 /8/4253 has clearly directed the Treasury Officer, Thanjavur, also to pay the pension arrears payable to me. But inspite of such direction no action has been taken.'

3.Admittedly, these respondents have not said to have committed any contempt. If the pension amount is not paid, it is for the petitioner to seek redressal against the concerned Treasury Officer, who has not extended the monetary benefits.

Hence, this Contempt Petition is closed.

Sd/-
Assistant Registrar(T&P)

Sub Assistant Registrar



To

1)Mr.Arul Goyal,
The Senior Accounts Officer,
O/o. the Principal Accountant General (A & E) Tamil Nadu,
No.361, Anna Salai,
Chennai-600 018.

2)Mr.Rajendran,
The District Educational Officer,
Thanjavur,
Thanjavur District.

3)M.Vasanthi,
The Assistant Elementary Educational Officer,
Budalur,
Thanjavur District-613 604.

+1 cc to MR.P.GUNASEKARAN, Advocate SR.No.81715
+1 cc to M/S.J.LAWRANCE, Advocate SR.No.81725
+1 cc to Special Government Pleader SR.No.81601

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SMA/SKS-RR/02.01.2017:3P/7C