

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.07.2017

CORAM

THE HON'BLE MR.JUSTICE HULUVADI G.RAMESH

AND

THE HON'BLE MR.JUSTICE G.JAYACHANDRAN

Contempt Petition No.1716 of 2015

in

W.A.No.1181 of 2012

Dr.H.B.N.Shetty ... Petitioner

-vs-

Mr.R.Venkatesan,
Secretary to the
Government of Tamil Nadu,
Revenue Department,
Fort St.George,
Chennai-600 009. ... Respondent

Petition filed under Section 11 of the Contempt of Court Act, to summon the respondent and punish him for contempt of Court for flouting / disobeying the order of this Court dated 21.11.2014 in W.A.No.1181 of 2012.

सत्यमेव जयते

For Petitioner :: Ms.P.Srividhya

For Respondent :: Mr.V.Jayaprakash Narayanan,
Special Government Pleader

WEB COPY

Alleging contempt of the order dated 21.11.2014 passed by this Court in W.A.No.1181 of 2012, this contempt petition has been filed. In the order dated 21.11.2014 made in W.A.No.1181 of 2012, this Court directed the respondent herein to pay 5 months salary, viz. Rs.88,775/- as gratuity

as ordered by the learned single Judge in W.P.No.16288 of 2000 on 03.12.2008, with appropriate interest from 1995 till the amount is paid, to the petitioner herein. The said amount was directed to be calculated and paid to the petitioner herein within a period of eight weeks from the date of receipt of a copy of the judgment.

2.It appears that the process of making payment of interest to the petitioner got delayed by about 8 to 10 months even though an order has been passed by the Government on 18.02.2015 itself in G.O.(Ms)No.88, Revenue [LR.I(1)] Department, wherein the Principal Secretary and Commissioner of Land Reforms, Chennai was authorised to draw and disburse the amount sanctioned, to the petitioner herein. Aggrieved over the same, the petitioner is before this Court with this contempt petition.

3.Heard the learned counsel for the petitioner as well as the learned Special Government Pleader appearing for the respondent.

4.It appears that there was a delay in payment of interest, for about 8 to 10 months, even when there is a Government Order to make payment of amount ordered to be paid as well as the interest. Probably the delay would have occurred due to exchange of correspondence between the Government Authorities and movement of files from table to table. That cannot be treated as delay for all practical purposes for calculating interest. Further, we find that

interest at 18% per annum was ordered to be paid. The delay was not made deliberately and it has occurred only in the process of exchanging correspondence and taking a decision in the matter. In such view of the matter, this Court is of the view that the order passed by this Court dated 21.11.2014 in W.A.No.1181 of 2012 has been complied with and hence no further orders are necessary to be passed in the contempt petition. Accordingly the contempt petition is closed.

KM

SD/-
JOINT REGISTRAR(OS) (i/c)

//Certified to be true copy//

Dated at Madras this the day of 2017.

COURT OFFICER(O.S.)

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DK/CO/10/08/2017

To

The Secretary to Government,
Government of Tamil Nadu,
Revenue Department,
Fort St.George,
Chennai-600 009

one cc to the Govt.Pleader, High Court,SR.No.8152/17

one cc to M/s.A.Muthukumar,SR.No.8411/17