

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.08.2017

CORAM

THE HON'BLE MR.JUSTICE V. PARTHIBAN

Contempt Petition No.113 of 2013

P.Rathinamanickam

.. Petitioner

Vs

Rajendiran,
The Managing Director,
Tamilnadu State Transport Corporation
(Coimbatore Division) Ltd,
37, Mettupalayam Road,
Coimbatore-641 043.

.. Respondent

PRAYER : Petition filed under section 11 of the Contempt of Courts Act, to punish the respondent for his act of willful disobedience of the order passed by this Court in the W.P.No.27397 of 2007 dated 20.01.2012.

For Petitioner : Mr.M.Ganesh

For Respondent : Mr.Kannan Kumar

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ORDER

This contempt petition has been filed alleging non-compliance of the order and direction issued by this Court in W.P.No.27397 of 2007, dated 20.01.2012.

2. Upon notice in the contempt petition, counter affidavit has been filed on behalf of the respondent.

3. According to the respondent, in terms of the order passed by the Labour Court, the petitioner was reinstated in service on 07.11.2013 and paid back wages a sum of Rs.6,59,260/-.

4. According to the counsel for the petitioner, the action taken by the respondent is not in full compliance with the award passed by the Labour Court in I.D.No.380 of 2000. Moreover, the Labour Court's order for attendant benefits payable to the petitioner has also not been paid to him.

5. However, it appears that at the time of re-appointment of the petitioner, he had agreed for only a portion of the back wages, in order to facilitate the respondents to grant him appointment. But the learned counsel for the petitioner has submitted that the said undertaking has been obtained by undue influence.

6. In case, the petitioner is still aggrieved by the implementation of the order or non implementation of the award of the Labour Court in full, he can

approach this Court seeking appropriate relief. But he cannot get such relief in the contempt petition. In such view of the matter, the Contempt Petition is closed. Liberty is given to the petitioner to work out the remedies in accordance with law, if so advised.

03.08.2017

pvs

To

The Managing Director,
Tamilnadu State Transport Corporation
(Coimbatore Division) Ltd,
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V.PARTHIBAN, J.

pvs



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