



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.01.2017

CORAM :

THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

Contempt Petition(MD)No.519 of 2016

in

W.P(MD)No.2710 of 2014

WEB COPY

C.Kamaraj

... Petitioner

-vs-

1)Mr.D.S.Vincent,
The Managing Director,
Tamil Nadu State Transport
Corporation (Madurai) Ltd.,
Bye Pass Road,
Madurai-16.

2)Mr.N.Rajasundar,
The General Manager,
Tamil Nadu State Transport
Corporation (Madurai) Ltd.,
Madurai Region,
Bye Pass Road,
Madurai-16.

... Respondents

Prayer: This contempt petition is filed under Section 11 of the Contempt of the Courts Act, 1971 praying to punish the respondents for their wilful disobedience of the order passed by this Hon'ble Court in W.P(MD)No.2710 of 2014 dated 16.06.2015.

Prayer in WP(MD) 2710/2014:

Writ Petition is filed under Article 226 of the Constitution of India,Praying this court To issue a Write of Certiorarified Mandamus calling for the recorods Pertaining to the impugned order passed by the 2nd respondent in Ref.Niru/A5/561/2013 dated 11.09.2013, quash the same and consequently direct the respondent to grand fourth review benefits based on cluse 4 of the settlement dated 22.1.2011 arrived under sec.12(3) of the Indutrial Disputes Act and to pay difference in salary payable to the petitioners from 1.5.2012 to 28.2.2013 and further compute and pay revised pension benefits, gratuity benefit.

For Petitioner : Mr.A.Rahul

For Respondents : Mr.A.P.Muthupandian

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.2710 of 2014 dated 16.06.2015.

<https://hcservices.courts.gov.in/hcservices/>
The learned standing counsel appearing for the respondents has submitted that the order made in W.P(MD)No.2710 of 2014 dated 16.06.2015, is complied with and in support of the same, he

produced the copy of the proceedings dated 10.01.2017.

3.However, the learned counsel for the petitioner would submit that the entire order has not been complied with and that the amount is in dispute.

4.Be that as it may, on perusal of the proceedings dated 10.01.2017, this Court is of the view that there is substantial compliance of the order made in the writ petition. If there is any dispute with regard to the amount payable, it is for the petitioner to work out his remedy in accordance with law and that cannot be the subject matter in this contempt petition.

5.Hence, placing on record the proceedings dated 10.01.2017, this Contempt Petition is closed with liberty to the petitioner to challenge the order dated 10.01.2017 in accordance with law. A cheque for a sum of Rs.22,430/- is handed over to the learned counsel for the petitioner, which has been received without prejudice to the rights of the petitioner.

Sd/
Assistant Registrar(CO)

/TRUE COPY/

Sub Assistant Registrar

To

1)Mr.D.S.Vincent,
The Managing Director,
Tamil Nadu State Transport
Corporation (Madurai) Ltd.,
Bye Pass Road,
Madurai-16.

2)Mr.N.Rajasundar,
The General Manager,
Tamil Nadu State Transport
Corporation (Madurai) Ltd.,
Madurai Region,
Bye Pass Road,
Madurai-16.

Nbi
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11.01.2017