

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.02.2018

Coram

The Hon'ble Mr. Justice M.M.SUNDRESH

Cont. Petition No.43 of 2018

G.Ravikumar .. Petitioner

vs.

C.Vijayakumar,
Commissioner,
Maraimalai Nagar Municipality,
Maraimalai Nagar,
Chengalpet Taluk,
Kancheepuram District.

.. Respondent

Petition filed under Section 11 of Contempt of Courts Act to punish the respondent herein for disobeying the order passed by this Court dated 24.03.2017 in M.P.No.1 of 2014 in W.P.No.10141 of 2014.

For Petitioner .. Mr.K.M.Ramesh

For Respondent .. Mr.P.Srinivas

ORDER

Alleging that the order passed by this Court in making the stay absolute is violated, the present contempt petition has been filed.

2.Learned counsel appearing for the petitioner would

[submit that the order has not been complied with. The fact](https://hcservices.ecourts.gov.in/hcservices/)

that there was compliance much prior to the filing of the

writ petition has been mentioned in the affidavit. Therefore, the remaining amount will have to be paid.

3.Learned counsel appearing for the respondent/contemnor would submit that this Court has passed the order, not taking note of the payment made already. For the aforesaid reason, already a letter was given to the Registry to post the matter for being mentioned. In any case, inasmuch as there is compliance made already, no contempt is made out since there is no disobedience of the order passed.

4.A perusal of the order passed by this Court would show that the amount paid was not brought to its notice and taken note of. Therefore, factually, there is no dispute that 50% of the amount awarded by the Labour Court was permitted to be withdrawn by the petitioner, which, in the opinion of this Court, is sufficient compliance of the order passed. Suffice it to state that there is no wilful disobedience of the order passed. In such view of the matter, the contempt petition stands closed.

SD/-
ASSISTANT REGISTRAR (COMM.CASES)

mmi

//Certified to be true copy//

Dated at Madras this the day of 2018.

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CO/12/03/2018

one cc to Mr. K.M. Ramesh, SR.No.2813.

One cc to Mr. P. Srinivas, SR, No.2978.



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