

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.08.2018

CORAM

THE HONOURABLE MR. JUSTICE SATRUGHANA PUJAHARI

Cont.P.No.706 of 2018

R.Sakthi

..

Petitioner

Versus

Mr.Dr.R.Selvaraj, I.A.S.,
Director of Survey and Land Records,
Chepauk,
Chennai-600 005

.. Respondent

Contempt petition filed under section 11 of the
Contempt of Courts Act to punish the respondent herein
for committing contempt of Court by willfully disobeying
the orders passed by this Court in W.P.No.9882 of 2015
dated 06.04.2015.

For Petitioner : Mr.C.Prakasam

For Respondent : Mr.S.R.Rajagopal,
AAG, assisted by

Mr.J.Purushothaman

ORDER

This contempt petition has been directed against the
respondent for non-compliance of this Court's order dated
06.04.2015 in W.P.No.9882 of 2015, with regard to the

release of the terminal benefits viz., Special Provident Fund, General Provident Fund and Earned Leave benefits.

2. It is submitted by the learned Additional Advocate General that review application against the same being pending, this Court should not proceed with the contempt petition. However, it is also brought to the notice of this Court that no order on such review petition has been passed yet. Filing a review petition does not keep the order passed in eclipse and hence, the same can hardly be a ground justifying the non-compliance and protest for compliance.

3. In such premises, the learned Advocate General submits that they will comply with the order but the same be subject to the outcome of the review.

4. In such premises, this contempt petition is closed, with a direction to the respondent to comply with the order dated 06.04.2015 immediately, but such compliance shall be subject to the outcome of the review petition. It is also made clear that if the result of the review go in favour of the respondent/State, in the writ petition, the petitioner shall refund the amount that would have been received by him in pursuant to the direction of the writ petition, with 6% interest from the date of receipt till the same is refunded and an undertaking in this regard may

also given by him before receipt of the amount to the appropriate respondent in the writ petition.

SD/-

ASSISTANT REGISTRAR (COMM.CASES)

//Certified to be true copy//

Dated at Madras this the day of 2018.

COURT OFFICER (O.S.)

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CO/20/09/2019

To

The Director of Survey and Land Records,
Chepauk,
Chennai-600 005

One cc to Mr.C.Prakasam, Advocate, Sr.No.11983

one cc to the Govt.Pleader, High Court, sr.No.12243

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