



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Monday, the Twenty Third day of July Two Thousand and Eighteen
PRESENT

The Hon`ble Mr.Justice M.GOVINDARAJ

SUB A(MD) No.102 of 2018
IN
CONT P (MD) No.1693 of 2017

M.MURUGESAN

... PETITIONER

Vs

ELANGO VAN,
GENERAL MANAGER, TAMILNADU STATE EXPRESS,
TRANSPORT CORPORATION (MADURAI) LTD,
BYE PASS ROAD, MADURAI.

... RESPONDENT

Prayer in SUB A(MD). 102/ 2018 :

The Sub Application is filed under order 9, Rule 9 of Civil Procedure Code praying this Court to restore the contempt petition in CP.No.1693 of 2017 and punish the Respondent for his wilful disobedience of the orders passed by this Honble court in WP(Md). No.9377 of 2009 dated 22/11/2016.

Prayer in CONT P(MD). 1693/ 2017 :

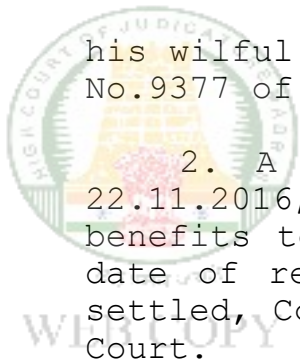
Contempt petition filed under Section 11 of the Contempt of Courts Act, 1971 to punish the Respondents for his willful disobedience of the Orders passed by this Honourable Court in WP (MD).No.9377 of 2009 dated 22/11/2016.

Prayer in WP(MD). 9377/ 2009 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue writ, order or direction or any other writ in the nature of a WRIT OF CERTIORARI calling for the records pertaining to the award passed by the Labour Court, Madurai, the first respondent herein dated 07-02-2008 in I.D.No.39 of 1999 and quash the same.

ORDER:

This Sub Application coming on for hearing , and upon the perusing the affidavit and Petition filed, and upon hearing the arguments of Mr.K.Mahendran, Advocate for the Petitioner, and of Mr.A.Jayaraman, Standing Counsel for Respondent, this Court made the following order:



his wilful disobedience of the order passed by this Court in W.P(MD) No.9377 of 2009, dated 22.11.2016.

2. A direction was issued by this Court, vide order dated 22.11.2016, to the respondent/Management to settle all the terminal benefits to the petitioner within a period of eight weeks from the date of receipt of a copy of the order. Since the issue was not settled, Contempt Petition (MD)No.1693 of 2017 was filed before this Court.

3. When the matter was taken up for hearing on 23.02.2018, the respondent reported that a major portion of the benefits has been settled and recording the same, the contempt petition was closed.

4. However, it is reported by the petitioner that the amount is not settled so far and hence, filed the present Sub Application seeking to restore the above Contempt Petition.

5. On notice, the learned Counsel for the respondent produced a copy of the proceedings in TNSTC/MDU/PF5/262, dated 21.07.2018, wherein it is stated that the proposals were forwarded to the Administrator (Pension), Chennai and it is under process.

6. Since the respondent is processing the application for payment of pension pursuant to the directions issued by this Court, this Sub Application is closed for the present. If the orders of this Court are not complied with by the respondent within a period of four weeks from the date of receipt of a copy of this order, the petitioner is entitled to re-open this Sub-Application".

Sd/-
Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar(CS-I)

+1. C.C. to M/S.K.MAHENDRAN Advocate SR.No.74481.

DATED:23.07.2018

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CONT P(MD) No.1693 of 2017

Given direction etc., as
stated within.