

Contp.No.361 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.12.2019

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

Contempt Petition No.361 of 2019

M.Somasundaram ...Petitioner

Vs.

1.Dr.K.Arumugam
Registrar,
Annamalai University,
Annamalai Nagar,
Chidambaram - 608 002

2.Dr.D.Rajakumar
Dean
Raja Muthiah Medical College & Hospital
Annamalai University,
Annamalai Nagar,
Chidambaram - 608 002

...Respondents

Prayer : Contempt Petition filed under Section 11 of the Contempt of Courts Act, to punish the respondents to disobeying the order passed in W.P.No.1238 of 2013 dated 15.12.2017 on the file of this Hon'ble Court.

For Petitioner : Mr.S.Kingston Jerold

For Respondents : Mr.V.R.KamalaNathan
For R1 & R2

O R D E R

The Contempt Petition is filed to punish the respondents for the willful disobedience of the orders passed by this Court on 15.12.2017 passed in W.P.No.1238 of 2013.

2.The learned counsel appearing on behalf of the respondents made a submission that pursuant to the orders of this Court, actions were initiated by the respondents to implement the order and accordingly, the proposal for the sanction of revised pension / pensionary benefits to Dr.M.Somasundaram, Retired, Professor of Physiology, Rajah Muthiah Medical College by fixing his pay in the revised pay band of Rs.37400-67000+G.P 10,000 based on the G.O.(Ms).No.350 Higher Education Department dated 09.09.2009 was placed before the Finance Committee / Syndicate for consideration. The Finance Committee in its Resolution No.10 dated 02.11.2018 has RESOLVED to approve the sanction of revised pension / Pensionary benefits to Dr.M.Somasundaram and instructed that the payment may be made in easy installments considering the financial position of the University.

3. The Syndicate in its Resolution No.11 dated 12.11.2018 has RESOLVED to approve the minutes of the meeting of the Finance Committee held on 02.11.2018. The 1st

installment and 2nd installment Pension Arrears of Rs.9,13,729/- each has been paid on 18.07.2019 (Voucher No:13 dated 18.07.2019) and 24.10.2019 (Voucher no:27 dated 24.10.2019). The file for the payment of 3rd installment Pension Arrears Rs.9,13,729/- is in process and will be paid before the month end of December 2019. The Balance amount of Rs.9,13,729/- along with revised pension arrears (Rs.10,08,894) and Revised Gratuity amount of Rs.5,43,750/- will be paid in February / March 2020.

4. In view of the submissions made by the respondents, this Court is of an opinion that no willful contempt has been committed by the respondents.

5. The learned counsel for the petitioner states that there are certain calculation mistakes and this Court is of an opinion that in this regard, the petitioner is at liberty to submit his representation. In the event of submitting any such representation by the petitioner, the same shall be considered by the respondents after verifying the eligibility and the calculations made by the respondents.

6. Under these circumstances, the respondents are directed to settle the balance amount as per their undertaking without committing any default. In the event of

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any default, the petitioner is at liberty to file a petition to restore this contempt petition.

7. Accordingly, this Contempt Petition stands closed. No costs.

SD/-

ASSISTANT REGISTRAR (COMM.CASES)

KAK

//Certified to be true copy//

Dated at Madras this the day of 2020.

COURT OFFICER (O.S.)

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SMI/06/01/2020

To

1.Registrar,
Annamalai University,
Annamalai Nagar,
Chidambaram - 608 002

2.Dean
Raja Muthiah Medical College & Hospital
Annamalai University,
Annamalai Nagar,
Chidambaram - 608 002

सत्यमेव जयते
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