

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.01.2019

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

Cont.P.No.1380 of 2018

S.Syed Abdul Mannan ... Petitioner

Versus

Thiru.A.Dhanulingam,
Managing Director,
Metropolitan Transport Corporation Ltd.
Pallavan Salai,
Chennai-600 002. ... Respondent

Contempt Petition filed under Section 11 of the Contempt of Court Act to punish the respondents for willful disobedience of the order passed by this Court in W.P.No.2191 of 2017 dated 31.01.2017.

For Petitioner : Mr.D.Veerasekaran

For Respondent : Ms.Rajini Ramdas

ORDER

The petitioner, alleging non-compliance of the order dated 31.01.2017 made in W.P.No.2191 of 2017 has filed this contempt petition.

2. It is the stand of the respondent in the counter affidavit that retiral benefits amounting to Rs.17,56,204/- have been settled to the petitioner. However, by way of rejoinder dated 27.07.2018, the petitioner has disputed the calculation memo and according to him, a further sum of Rs.2,78,485/- is to be paid.

3. This Court, in a case of contempt petition, cannot assume the role of a Civil Court to adjudicate upon factual disputes with regard to settlement of terminal/retiral benefits. Since it is the stand of the respondent/contemnor that the retiral benefits are settled to the petitioner, it is always open to the petitioner to invoke the Common Law remedy by initiating civil proceedings against the respondent/contemnor for recovery of the alleged deficit amount not yet paid.

4. This Contempt Petition is closed with the above observations.

WEB COPY

04.01.2019

Index : Yes/No
Internet : Yes
jvm

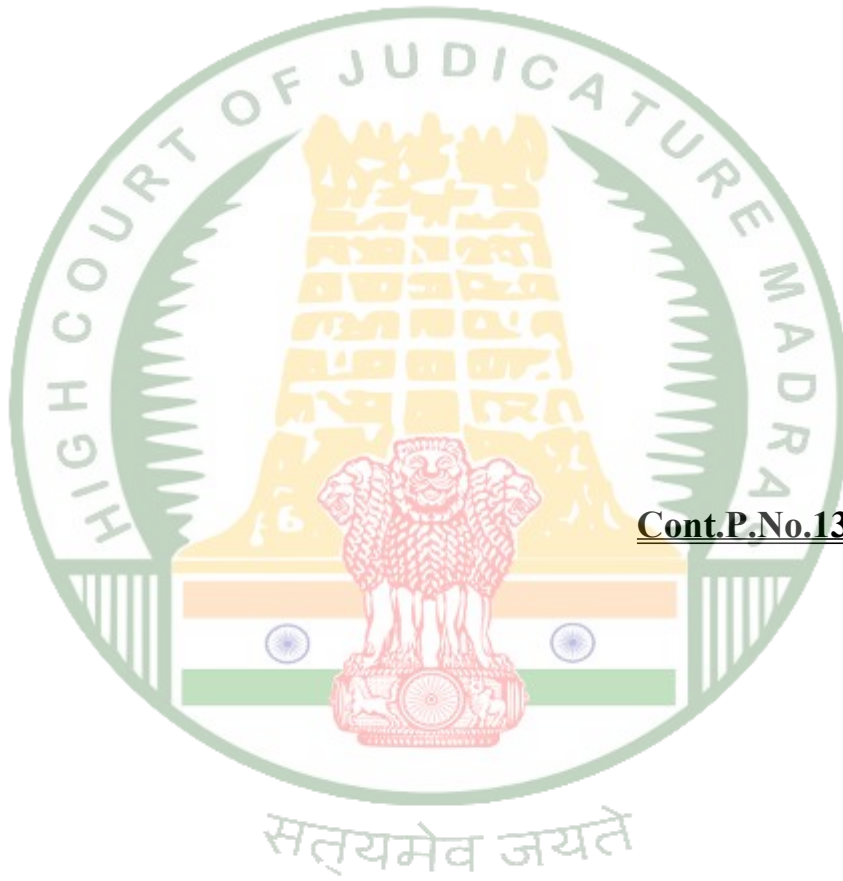
To
Thiru.A.Dhanulingam,
Managing Director,
Metropolitan Transport Corporation Ltd.
Pallavan Salai,
Chennai-600 002.



WEB COPY

M.SATHYANARAYANAN, J.

jvm



Cont.P.No.1380 of 2018

WEB COPY

04.01.2019