

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.01.2019

Coram

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

Cont. Petition No. 251 of 2018

V.Lakshmanappa

.. Petitioner

vs.

Gajendran,
General Manager,
The Management,
Tamil Nadu State Transport
Corporation (Salem)
Ltd., Bharathipuram,
Salem Main Road,
Dharmapuri - 636 705.

.. Respondent

Petition filed under Section 11 of Contempt of Courts Act to punish the respondent for wilful disobedience of the order and directions of this Court dated 28.06.2017 in WM.P.No.37064 of 2016 in W.P.No. 14332 of 2015.

For Petitioner .. Mr.V.Ajoy Khose
for Mr.R.Krishnaswamy
For Respondent .. Ms.S.Rajini Ramadoss

ORDER

Alleging that the order dated 28.06.2017 passed by this Court in WM.P.No.37064 of 2016 in W.P.No. 14332 of 2015, not been complied with, the present contempt petition has been filed.

2.From the submission of the learned counsel appearing for the respondent, it appears that the petitioner has been reinstated. This factum is not disputed by the learned counsel appearing for the petitioner but the learned counsel has stated that similar wages paid to the similarly placed employee has not been paid to the petitioner.

3.Learned counsel appearing for the respondent has submitted that though the petitioner was given enhanced wages, the comparison sought to be made with similar employee is not correct as that employee does not suffer from any deduction.

4.This Court is not inclined to go into the aforesaid issue. Admittedly, the petitioner has been given enhanced wages. If the petitioner is of the view that he is entitled to get higher wages on par with the so called similarly placed employee, he can file appropriate application before the writ Court. Suffice it to state that in a contempt proceedings, the aforesaid issue cannot be adjudicated upon. Hence this Court is of the view that there is no wilful disobedience on the part of the respondent.

5. Accordingly, the contempt petition is closed, by giving liberty to the petitioner to file appropriate application, if so advised.

SD/-
mmi ASSISTANT REGISTRAR (COMM. CASES)

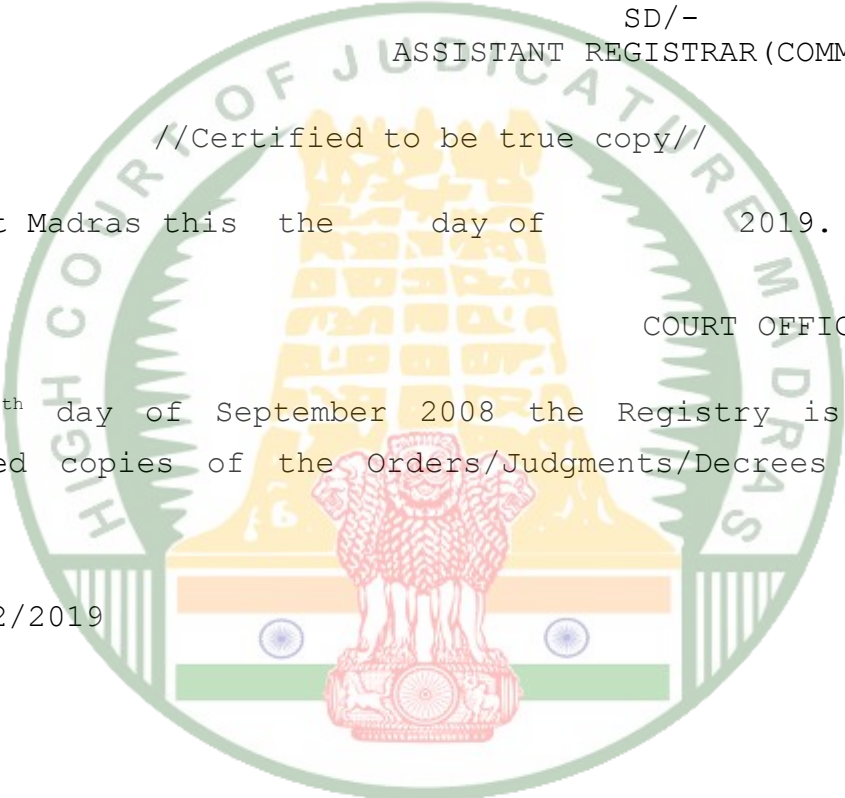
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Dated at Madras this the day of 2019.

COURT OFFICER (O.S.)

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PS/20/02/2019

The seal of the High Court of Madras is a circular emblem. It features a central yellow temple gopuram (tower) with a red lion capital on top. Below the gopuram is a red lion capital on a base. The entire emblem is set against a background of horizontal stripes (orange, white, green) with a blue wheel in the center. The words "HIGH COURT OF JUDICATURE MADRAS" are written in a circle around the emblem. Below the emblem is the motto "सत्यमेव जयते" in Devanagari script.

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