

Contempt Petition No.2030 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 14/10/2019

C O R A M

The Honourable **Mr.Justice SUBRAMONIUM PRASAD**

Contempt Petition No.2030 of 2017

R.Padmavathy

...

Petitioner

Vs

1. Mr.K.Muthukaruppan
The General Manager
Tamil Nadu State Transport Corporation
(Villupuram) Ltd
Kancheepuram Division
Chennai Bangalore Highways Road
Karapettai
Kancheepuram.

2. S.Duraiammal,
W/o.Late, Vijay Radhakrishnan,
No.1 Periyakadambur Village,
Tiruttani Taluk, Thiruvallur District.

...

Respondents

(R.2 impleaded as second respondent, as per
the order of the Court dated 31/7/2019,
made in Sub.Appl (OS) No.280 of 2019
in Cont.P.No.2030 of 2017.

Prayer: Contempt Petition filed under Section 11 of the
Contempt of Courts Act to punish the respondents for the
willful disobedience of order, dated 26/4/2016, passed in
W.P.No.15308 of 2016.

For petitioner ... Mr.R.Ramesh
For respondents ... Mr.K.Kulandaivelu
 for Mr.A.Antony Arockiyaraja
 for R.1.
 No appearance
 for R.2.

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O R D E R

This Court, by an order, dated 26/4/2016, had passed the following order:-

"The petitioner R.Padmavathy, wife of late Radhakrishnan has given a representation on 12/6/2015, seeking disbursement of her husband's retiral benefits and to provide job on compassionate ground to her eldest son.

2. The grievance of the petitioner is that after marriage with her husband in the year 1992, she has given birth to two sons namely Kavi Bharathi Raja and Naveen Kumar. While her husband was working the second respondent Corporation, due to sudden heart attack, he passed away on 12/8/2012 and legal heir certificate, issued from the competent authority dated 12/5/2015. As her representation to dispose of the retiral benefits and to provide a job on compassionate ground to her eldest son, has not been considered by the respondents, she is before this Court.

3. Heard the learned counsel appearing for the petitioner, learned Additional Government Pleader appearing for R.1 and the learned Standing Counsel appearing for R.2 and R.3.

4. Considering the fact that the petitioner's husband died due to sudden heart attack on 12/8/2012 while serving as Conductor in the second respondent Corporation, without going into the merits of the case, this Court directs the second respondent to consider the petitioner's representation dated 12/6/2015 and pass appropriate orders, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

5. With the above direction, the writ petition is disposed of. No costs."

2. Since the order had not been complied, petitioner has filed the instant Contempt Petition.

3. On 22/8/2019, this Court, in the Contempt Petition, directed the respondents to report compliance, within a week, from the date of the said order.

4. Today, Mr.K.Kulandaivelu, learned counsel for the first respondent states that a cheque bearing No.663578, dated 27/9/2019, drawn on State Bank of India, Villupuram, for a sum of Rs.23,402/- (Rupees Twenty Three thousand Four hundred and two only) towards Employees Welfare Scheme is being handed over to the learned counsel for the petitioner. Learned counsel for the first respondent further states that a cheque for a sum of Rs.4,63,679/- (Rupees Four lakhs sixty three thousand six hundred and seventy nine only), towards Provident Fund is ready. Mr.R.Ramesh, learned counsel for the petitioner states that his client would go and collect the cheque tomorrow, i.e., on 15/10/2019. Learned counsel for the first respondent further states that amount due and payable towards gratuity will be paid to the second respondent on or before 31/10/2019.

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5. Recording the abovesaid statement of the learned counsel for the first respondent, **Contempt Petition is closed.** However, it is made clear that if the first respondent fails to give the amount of gratuity which is payable, that will be taken as aggravated contempt.

SD/-

ASSISTANT REGISTRAR (COMM.CASES)

mvs

//Certified to be true copy//

Dated at Madras this the day of 2019.

COURT OFFICER (O.S.)

from 25th day of September 2008 the Registry is issuing Certified copies of the Orders/Judgments/Decrees in this format.

Smi/05/11/2019

To

The General Manager
Tamil Nadu State Transport Corporation
(Villupuram) Ltd
Kancheepuram Division
Chennai Bangalore Highways Road
Karapettai
Kancheepuram.