

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.07.2019

CORAM

THE HON'BLE Mr. JUSTICE **M.M.SUNDRESH**
and
THE HON'BLE Mr. JUSTICE **M.NIRMAL KUMAR**

Cont.P.No.81 of 2017

Srinivasan

... Petitioner

Vs.

1.Kiran Gurralla, I.A.S.,
The Managing Director,
Tamil Nadu Housing Board,
Nandhanam, Chennai - 35.

2.B.Ganesan,
The Secretary and Personal Officer,
Tamil Nadu Housing Board,
Nandhanam, Chennai - 35.

.. Respondents

Petition filed under Section 11 of Contempt of Courts
Act to punish the respondents for disobeying and flouting
the orders of this Court dated 05.03.2014 passed in
W.A.No.507 of 2013.

For Petitioner

.. Mr.R.Nalliyappan

For Respondent

.. Dr.R.Gowri for R1
Mr.M.Elumalai,
Govt. Advocate for R2

ORDER

(Order of the Court was made by **M.M.SUNDRESH, J.**)

Alleging that the order passed by this Court in W.A.No.507 of 2013 dated 05.03.2014 has not been complied with, the present contempt petition has been filed.

2.An affidavit of compliance has been filed by the second respondent by way of additional counter, wherein the following statement has been made:

"6.I respectfully submitted that the Board has already sanctioned the interest amount on terminal benefits of Rs.13,34,089/- instead of Rs.6,18,392/- and a sum of Rs.7,15,697/- has been paid to the petitioner excessively as per the G.O.(Ms) No.122 Finance (Pension) Department dated 20.02.1995."

3.Learned counsel appearing for the petitioner submits that interest has not been granted, which the petitioner is entitled to. This is with respect to the commutation amount. Admittedly, for the other amounts, interest at 9% has been paid. Further, it is the case of the second respondent that excess amount has been paid and there is also a letter given by the petitioner agreeing to receive the amount.

4.From the above, we do not find any wilful disobedience of the order passed and the contempt petition stands closed. If the petitioner is of the view that he is

entitled for higher amount, he can always work out his remedy by way of separate proceedings.

SD/-

ASSISTANT REGISTRAR (COMM.CASES)

mmi

//Certified to be true copy//

Dated at Madras this the day of 2019.

COURT OFFICER (O.S.)

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Mv/16/07/2019



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