

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 13.09.2019

CORAM

THE HONOURABLE MR. JUSTICE **SUBRAMONIUM PRASAD, J.**

CONT.P.No.2735 of 2018

M.Sankar

..

Petitioner

Versus

Thiru.J.Titus,
General Manager,
Tamil Nadu State Transport Corporation (Villupuram) Ltd.,
Kancheepuram Region,
Kancheepuram

..

Respondent

Contempt petition filed under section 11 of the
Contempt of Courts Act to punish the respondent for his
willful and disobedience of the order of this Court in WP
No.6174 of 2009 dated 23.03.2018.

For Petitioner : Mr.V.Ajoy Khose
for Mr.R.Krishnaswamy
For Respondents : Mr.V.Prabhakaran
for Mr.A.Antony Arockiaraj

ORDER

This Court vide order dated 23.03.2018 in WP
No.6174 of 2009 had passed the following order and it is
relevant to extract paragraph No.12 & 13 of the same :-

12. For the above said reasons, this Court set aside the impugned penalty ordered by the respondent in Memo No.318/318/Sa5/TNSTC/06 dated 11.03.2009 only to the extent, the imposition of punishment of reduction in pay by three stages. The other portion of the impugned order regarding stoppage of increment of three years and regularization of suspension period shall remain as it is.

13. In view of the above, this Court directs the authority to pass suitable order as indicated above and grant attendant benefits to the petitioner on such modification of the penalty. The Consequential order shall be passed by the respondent within a period of eight weeks from the date of receipt of a copy of this order.

2. The learned counsel appearing for the respondent has filed a detailed chart showing the amounts that have been paid in compliance with the order dated 23.03.2018.

3. In view of the chart submitted by the learned counsel for the respondent, this Court finds that the order which is the subject matter of the contempt has been complied with by the respondent/contemnor. The petitioner

is now challenging the balance amount to be paid under the compliance of the said order. The Contempt Court cannot go into the disputed question of fact. Accordingly, this Contempt Petition is closed. Liberty is granted to the petitioner to file an appropriate petition to recover the balance amount, if any to be paid by the respondent.

SD/-

ASSISTANT REGISTRAR (COMM. CASES)

rka

//Certified to be true copy//

Dated at Madras this the day of 2019.

COURT OFFICER (O.S.)

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Smi/10/10/2019

To

General Manager,
Tamil Nadu State Transport Corporation (Villupuram) Ltd.,
Kancheepuram Region,
Kancheepuram.

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