



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

CONT.P.(MD)No.320 of 2018

in

W.P.(MD).No.9957 of 2012

M.Marimuthu

... Petitioner / Petitioner

-Vs-

1.Mr.R.Jeya Singh

Chief Engineer,
Public Works Department,
Construction and Maintenance Division,
Chepauk, Chennai-600 005.

2.Mr.D.P.Ganeshan

Executive Engineer,
Public Works Department,
Construction and Maintenance Division,
Trichy-1.

3.Mr.R.Elangovan

Assistant Executive Engineer,
Public Works Department,
RC Sub Division,
Trichy-1

... Contemnors/Respondents

Prayer: Contempt Petition is filed under Section 11 of Contempt of Courts Act, to punish the contemnors/respondents for wanton and wilful disobedience of the order passed by this Court in W.P.(MD). No.9957 of 2012 dated 20.10.2016.

Prayer in WP(MD). 9957/ 2012 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records on the file of the 4th respondent in connection with the impugned order of recovery passed by him in his Proceedings in No.222/2009/Vu.Se.Po. (Thi) dated 16.12.2009 and quash the same as illegal and arbitrary and consequently direct the respondents 1 & 4 to revise the Petitioner's post and pension proposal in the cadre of Grade-I (Selection Grade) with all attendant and monetary benefits and return the recovered amount of Rs.1,30,945/- with interest to the Petitioner within the time limit that may be stipulated by this



For Petitioner : Mr.G.Thalaimutharasu
For Respondents : Mr.D.Muruganantham
Additional Government Pleader

ORDER

The learned Additional Government Pleader appearing on behalf of the respondents made a submission that against the order passed in the writ petition, the Chief Engineer, Public Works Department, preferred a Special Leave Petition before the Hon'ble Supreme Court of India and the delay in re-filing the Special Leave Petition also was condoned by the Hon'ble Supreme Court and the matter was posted for further hearing.

2.Under these circumstances, the present contempt petition need not be kept pending. However, it is made clear that after the disposal of the Special Leave Petition by the Hon'ble Supreme Court, the petitioner is at liberty to initiate all appropriate actions in the manner known to law.

3.With this liberty, the Contempt Petition stands closed.

Sd/-

Assistant Registrar(P & A)

// True Copy //

Sub Assistant Registrar(CS)

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To

1.Mr.R.Jeya Singh
Chief Engineer,
Public Works Department,
Construction and Maintenance Division,
Chepauk, Chennai-600 005.

2.Mr.D.P.Ganeshan
Executive Engineer,
Public Works Department,
Construction and Maintenance Division,
Trichy-1.



3.Mr.R.Elangovan
Assistant Executive Engineer,
Public Works Department,
RC Sub Division,
Trichy-1

+1CC TO MR.G.THALAIMUTHARASU, Advocate Sr. No.75942
+1CC TO THE SPECIAL GOVERNMENT PLEADER SR.No.76001

CONT.P. (MD) No.320 of 2018
in
W.P. (MD) .No.9957 of 2012
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AVS (CO)
TR (26.07.2019) 3P 6C