

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.09.2020

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

CONT.P.No.694 of 2020

K.Nagamalai

.. Petitioner

vs.

Mr.S.A.Raman, I.A.S.,
The District Collector,
Salem District,
Salem-636 001.

.. Respondent

Contempt Petition is filed under Section 11 of Contempt of Court Act, 1971, to punish the respondent for wilful disobedience of the orders made in W.P.No.12375 of 2019 dated 12.09.2019 by this Court.

For Petitioner : Mr.G.Pugazhenth

For Respondent : Mr.M.Elumalai,
Additional Government Pleader

WEB COPY

ORDER

The contempt petition is filed to punish the respondent by following the order of this Court dated 12.09.2019 passed in [W.P.No.12375](#) of 2019.

2. The learned counsel for the contempt petitioner made a submission that the respondent/District Collector has made a contempt by not initiating action under the Revenue Recovery Act.

3. Mr.M.Elumalai, learned Additional Government Pleader appearing on behalf of the respondent made a submission that undertaking given by the Tamil Nadu State Transport Corporation (Salem) Limited, regarding the settlement of gratuity is un-connected with the District Collector. Therefore, the contempt petition cannot be entertained against the present respondent.

4. The order passed by this Court is extracted hereunder:

"3. The learned counsel appearing on behalf of the third respondent/Tamil Nadu State Transport

Corporation (Salem) Limited made a submission that the third respondent is ready and willing to settle the arrears of gratuity amount in favour of the petitioner within a period of three weeks from the date of receipt of a copy of this order.

4. In view of the undertaking given by the learned counsel for the third respondent, this Court is of the opinion that no further direction is required to be given to the first respondent to initiate action under the provision of the Revenue Recovery Act. Accordingly, the third respondent is directed to settle the arrears of gratuity amount in favour of the petitioner within a period of four weeks from the date of receipt of a copy of this Order.

5. With these directions, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed."

5. The Tamil Nadu State Transport Corporation (Salem) Limited is directed to settle the arrears of gratuity in favour of the petitioner within a

period of three weeks from the date of receipt of a copy of this Order. Since the District Collector is a formal party even in the writ petition, absolutely there is no direction against the respondent in the present contempt petition. This being the factual position, the contempt petition as such cannot be entertained against the present respondent.

6. Accordingly, the contempt petition stands closed.

SD/-

ASSISTANT REGISTRAR(COMM.CASES)

ssb

//Certified to be true copy//

Dated at Madras this the day of 2020.

COURT OFFICER(O.S.)

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SMI/06/11/2020

To

The District Collector,
Salem District,Salem-636 001.

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