

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.01.2020

C O R A M

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

Contempt Petition No.1301 of 2019

1 M.KANNAN
No.35/12, 13TH LANE,
INDIRA NAGAR, CHENNAI-600020 ... PETITIONER

Vs.

1 RAMASWAMY SUBRAMANI
PRINCIPAL IN-CHARGE MGR GOVERNMENT FILM
AND TELEVISION INSTITUTE C.I.T.CAMPUS
TARAMANI CHENNAI-113 ... RESPONDENTS

Contempt petition filed under Section 11 of the Contempt of Courts Act, 1971 to punish the respondents for wilful disobedience of the order passed by this court in W.P.No.31231 of 2017, dated 04.09.2018.

For Petitioner : Mr.S.P.Vijayaragavan
For Respondents : Mr.A.Emalias, A.A.G.
Assisted by
Mrs.Sri Jayanthi, A.G.P.

O R D E R

This Court on 4.9.2018 while disposing of the writ petition in W.P.No.31231 of 2017 observed as under:

"8. Therefore, this Court dispose of this writ petition with a direction to the fourth respondent reconsider the case of the petitioner for re-fixation of his pension extending him the benefit of the Pension Rules taking note of the papers supplied by him which is stated to have been obtained under the RTI Act indicating that he was on the service of the 4th respondent as Daily wage worker continuously till the date of his regularization and pass necessary orders on the same within a period of three months from the date of receipt of copy of this order. Needless to say that, this order however should not be construed as certification of genuineness of the documents stated to have been obtained by the petitioner under the RTI Act, inasmuch as this Court had not heard the fourth respondent on the same, therefore, the fourth respondent is at liberty to verify the genuineness of such information but within the stipulated date and if it is found that the documents are genuine, act on the same as extending the benefits of the pension Rules by submitting necessary proposal to the third respondent for re-fixation of the pension of the petitioner. The petitioner is directed to submit all the documents along with the copy of this order to the fourth respondent, enclosing the documents which he stated to have been obtained under the RTI Act in support of this case.

2. According to the learned counsel appearing for the petitioner, pursuant to the said order, the writ petitioner submitted

representation along with documents enclosed in the said representation. But the department passed an order on 8.3.2019 wherein the respondent rejected the claim of the petitioner by stating that the documents produced by the petitioner are not genuine. The learned counsel appearing for the petitioner submitted that the respondent has not properly verified the documents and also he has not considered the said documents in the light of the order passed by this Court.

3. The learned Additional Advocate General appearing for the respondents submitted that the order of the Court has been duly complied with by the respondent. The documents produced by the petitioner are not genuine and therefore, the respondent rightly rejected the representation made by the petitioner in the letter, dated 8.3.2019. If aggrieved, it is open to the petitioner to challenge the same in the manner known to law.

4. The order passed by this Court in W.P.No.31231 of 2017, dated 4.9.2018 has been duly considered by the respondent and rejected the claim of the petitioner on the ground that the documents produced by the petitioner are not genuine. Therefore, the writ petitioner has to seek remedy in the manner known to law. Consequently, the contempt petition is closed. No costs.

21.01.2020

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D.KRISHNAKUMAR,J.

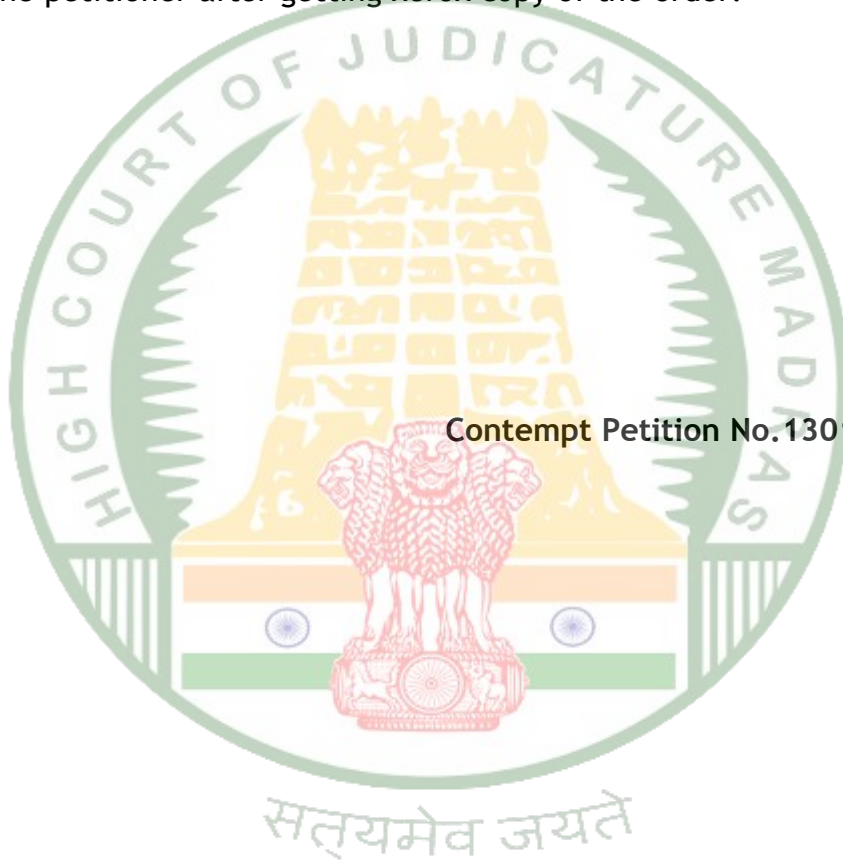
vaan

Speaking/Non Speaking order

Index : Yes/No

vaan

Note: Registry is directed to return the original order, dated 28.1.2019 to the petitioner after getting xerox copy of the order.



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WEB COPY

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