



WEB COPY

Cont.P.(MD).No.637 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.12.2020

CORAM:

THE HONOURABLE MR.JUSTICE **KRISHNAN RAMASAMY**

Cont.P.(MD) No.637 of 2020

in

W.P.(MD) No.3482 of 2019

Ramasubbu

.. Petitioner/Petitioner

Vs.

1.Rajendran,
The Deputy Inspector General of Police,
Madurai Range, Madurai.

2.Sunilkumar,
The Superintendent of Police,
Madurai District.

.. Contemnors/Respondents

PRAYER: Contempt Petition is filed under Section 11 of the Contempt of Court Act, 1971, to punish the respondents herein for their willful and wanton disobedience of the order passed by this Court dated 11.11.2019 in W.P.(MD) No.3482 of 2019.

PRAYER IN WP(MD) . 3482 OF 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Certiorarified mandamus, calling for the records pertaining to the impugned order passed in C No.A2/15058/WP/2018 RO No.685/18 dated 14.12.2018 by the 1st respondent and quash the same and consequently direct the respondents to regularise the period of suspension i.e. from 11.8.2011 to 06.12.2011 and out of employment period from 10.4.2015 to 12.4.2018 with all monetary benefits.

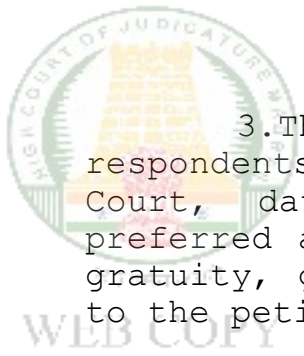
For Petitioner : Mr.C.Jeganathan

For Contemnors : Mr.K.P.Narayanakumar
Special Government Pleader

ORDER

This Contempt Petition is filed to punish the respondents for their willful disobedience of the order passed by this Court, dated 11.11.2019 in W.P.(MD) No.3482 of 2019.

2.W.P.(MD) No.3482 of 2019 has been filed to regularize the petitioner's service period of suspension ie., from 11.08.2011 to 06.12.2011 and out of employment period from 10.04.2015 to 12.04.2018 with all monetary benefits and this Court, vide order dated 11.11.2019, allowed the said writ petition, setting aside the order of compulsory retirement.



3.The learned Special Government Pleader appearing for the respondents would submit that challenging the order passed by this Court, dated 11.11.2019, though the respondents herein have preferred an appeal before this Court, the terminal benefits, like gratuity, general provident fund and etc have already been settled to the petitioner.

4.For the aforesaid submission, the learned counsel appearing for the petitioner would submit that the respondents have to calculate the pension amount from the date of the petitioner's compulsory retirement, ie., from 09.04.2015, even if they preferred any appeal as against the order, dated 11.11.2019.

5.In reply, the learned Special Government Pleader appearing for the respondents submits that in such case, the respondents will consider the request of the petitioner to pay pension with effect from 09.04.2015.

6.In such view of the matter, this Court is inclined to pass the following directions:-

the respondents herein are directed to pay the pensionary benefits to the petitioner, by calculating the pension amount from his compulsory retirement, ie., from 09.04.2015 with liberty to modify the same subject to the judgment to be passed in the writ appeal suitably;

7.With the above directions, this Contempt Petition stands closed with liberty to the respondents.

Sd/-

Assistant Registrar (CS I)

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/ /2021

Sub Assistant Registrar(CS)

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TO

1.Rajendran,
The Deputy Inspector General of Police,
Madurai Range, Madurai.

2.Sunilkumar,
The Superintendent of Police,
Madurai District.

Cont.P. (MD) .No.637 of 2020

in

W.P. (MD) No.3482 of 2019

PK (CO)

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