



WEB COPY

Cont.P.(MD).No.909 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.12.2020

CORAM:

THE HONOURABLE MR.JUSTICE **KRISHNAN RAMASAMY**

Cont.P.(MD) No.909 of 2020

in

W.P.(MD) No.13020 of 2019

K.Periyasamy

.. Petitioner/Petitioner

Vs.

M.James,
Correspondent,
C.E.Higher Secondary School,
Vannarapet, Puthur,
Trichy-17.

.. Contemnor/Respondent

PRAYER: Contempt Petition filed under Section 11 of the Contempt of Court Act, 1971, to punish the contemnor / respondent for wanton and willful disobedience of the order passed by this Court dated 09.07.2019 in W.P.(MD) No.13020 of 2019.

Prayer in WP(MD).13020/ 2019 :

Writ Petition filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus directing the respondents to pay subsistence allowance from 17/03/2016 , date of suspension order, after deducting the amount Rs.3,57,409/- paid to petitioner towards subsistence allowance in accordance with law.

For Petitioner : Mr.B.Satheeshkumar
For Contemnor : Mr.K.Ragatheeshkumar for
M/s.Issac Chambers

ORDER

This Contempt Petition is filed to punish the respondent/contemnor for his willful disobedience of the order of this Court, dated 09.07.2019 passed in W.P.(MD) No.13020 of 2019.

2.This Court, vide order dated 09.07.2019, passed the following order:-

"5.In the light of the submissions made on either side, this Court is inclined to pass the following directions:-

(i) The petitioner is directed to submit a fresh representation to the respondent management by furnishing the particulars with regard to balance amount of subsistence allowance (calculation memo) within a period of one week from the date of receipt of a copy of this order.



(ii) If any such representation is received by the respondent management, the same shall be considered and appropriate orders be passed within a period of six weeks thereafter.

(iii) If there is any dispute with regard to payment of subsistence allowance, it is open to the petitioner to approach the authorities concerned seeking appropriate relief.

3.The learned counsel appearing for the respondent would submit that in compliance of the aforesaid order, dated 09.07.2019, the respondent disbursed the subsistence allowance of Rs.4,91,000/- to the petitioner, vide Demand Draft, dated 26.11.2020 and the same has also been received by the petitioner. In this regard, the respondent has

produced a copy of the proceedings dated 26.11.2020 before this Court. The learned counsel therefore would submit that the order of this Court, dated 09.07.2019 is complied with.

4.For the aforesaid submission, the learned counsel appearing for the petitioner would submit that the petitioner has not received the copy of the proceedings, dated 26.11.2020 till date.

5.In reply, the learned counsel undertakes before this Court that a copy of the proceedings, dated 26.11.2020 will be served to the petitioner shortly.

6.Recording the submissions made by the learned counsel for the respondent, this Contempt Petition stands closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

mm

+1cc to M/s.Isaac Chambers, in CA SR.No.25796.

Cont.P. (MD) .No.909 of 2020
in
W.P. (MD) No.13020 of 2019
15.12.2020

NA (CO)

CS (07.01.2021) 2P 2C