



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **07.02.2020**

CORAM:

WEB COPY

THE HONOURABLE **MR. JUSTICE M.S.RAMESH**

Cont P.(MD)No.1658 of 2019
in
WP(MD) .No.6667 of 2019

K.Joshua

... Petitioner/Petitioner

/vs./

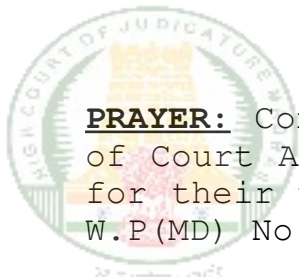
1.Rajesh Lakhoni,
Secretary to Government,
Housing and Urban Development,
Secretariat, Fort St. George,
Chennai-600 009.

2.L.Wilvasekaran,
Registrar (Housing),
Co-operative Housing Society,
48, Ritherdon Road,
Vepery, Chennai-600 007.

3.M.Palanivelu,
Managing Director,
Tamil Nadu Co-operative Housing Federation Limited,
No.48, Ritherdon Road,
Vepery, Chennai-600 007.

4.R.M.S.Vinayagar,
Deputy Registrar (Housing),
Virudhunagar Region,
No.3-DD-Road, Maninagaram,
Virudhunagar District.

5.G.Krishnamoorthy,
President,
Q.796.Sivakasi Co-operative Building Society Limited,
No.103/J.Kamarajar Salai,
Railway Feeder Road,
Sivakasi Taluk, Virudhunagar District-626 123. ... Contemnors/
Respondents



PRAYER: Contempt Petition is filed under Section 11 of the Contempt of Court Act, 1971, to commit and punish the Contemnors/respondents for their willful disobedience of the order passed by this court in W.P(MD) No.6667 of 2019 dated 21.03.2019.

Prayer in WP(MD). 6667/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a writ of Mandamus, directing the Respondents to pay the Terminal Benefits amount payable to the petitioner including P.F., Gratuity, Unavailed Leave Salary, Salary arrears-(Settlement arrears for the period from 01.12.2011 to 13.01.2015) and Security Deposit together with 18% interest and all other attendant benefits from the date of his voluntarily retirement i.e. 14.01.2015 to till the date of payment within the stipulated period.

For Petitioner : Mr.A.Rahul

For R-1 to R-4 : Mr.M.Jeyakumar
Additional Government Pleader

For R-5 : Mr.R.Saravanan

ORDER

The learned counsel for the petitioner would submit that by an order dated 05.02.2020, the terminal benefits were settled in favour of the petitioner. However, he objects such a settlement stating that gratuity amount alone has been paid and the remaining amount towards unavailed leave salary, P.F, Salary arrears and security deposit have not been settled.

2.Since the earlier order of this Court dated 21.03.2019 was only a direction to the respondents to consider the representation, the submission of the learned counsel for the petitioner that the entire amount has not been settled cannot be termed as wilful disobedience of the order. However, if the petitioner is aggrieved against the part settlement made, liberty is hereby granted to the petitioner to challenge the same in the manner known to law.

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

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)



To:-

1.The Secretary to Government,
Housing and Urban Development,
Secretariat, Fort St. George,
Chennai-600 009.

2.The Registrar (Housing),
Co-operative Housing Society,
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3.M.Palanivelu,
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4.R.M.S.Vinayagar,
Deputy Registrar (Housing),
Virudhunagar Region,
No.3-DD-Road, Maninagaram,
Virudhunagar District.

+1 CC to M/s.A.RAHUL, Advocate (SR-5368[F] dated 10/02/2020)

+1 CC to M/s.SPL GP (SR-5385[F] dated 10/02/2020)

+1 CC to M/s.R.SARAVANAN, Advocate (SR-5650[F] dated 11/02/2020)

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JMN(20.02.2020) 3P : 8C