



WEB COPY

Cont.P.No.1157 of 2012

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.01.2021

CORAM

THE HON'BLE MR.JUSTICE R. SURESH KUMAR

Contempt Petition No.1157 of 2012

V.Nithyanantham,
No.22/24, Pallavan Street,
Near Padavedu Amman Koil,
Kanchenjunga's 631 501

.. Petitioner

-Vs-

G.Senthil Kumar
Special Officer
The Kanchipuram District Central
Cooperative Bank, No.15-G
Sakkupattai, North Street
Kanchipuram – 631 501.

.. Respondent

Prayer : Contempt petition filed under Section 11 of the Contempt of Courts Act, 1971 to punish the respondent for disobeying the order of this Hon'ble Court dated 10.2.2011 in W.P.No.3174 of 2011 under Contempt of Court Act.

For Petitioner : Mr.R.Sivakumar

For Respondent : Mr.R.Gopinath
for Mrs.G.Thilagavathy, Senior Counsel

ORDER

This Contempt Petition has been filed for the alleged disobedience of the orders of this Court dated 10.2.2011 made in W.P.No.3174 of 2011.



2. After several hearings, when the case came up for hearing during the last occasion ie., on 08.01.2021, after hearing both sides, this Court passed the following order.

“ 3. I have considered the said submissions made by the learned counsel for the petitioner as well as the learned Senior Counsel appearing for the respondent Bank.

4. Taking into consideration the totality of the circumstances, in order to meet the ends of justice, this Court feels that, the respondent Bank can calculate 6% interest for the belated payment of arrears of increment due, which has already been paid and if it is calculated it comes to a sum of Rs.1,01,519/- alone. Therefore, if that amount by way of interest is paid along with the interest for the gratuity due within a time frame that would meet the ends of justice, thereby the issue can be settled amicably.

5. Learned Senior Counsel appearing for the respondent Bank, on instructions, would agree that, the Bank would pay the sum of Rs.1,01,519/- being 6% interest for the increment due to the petitioner within a period of two weeks from today. It is made clear that, since the gratuity amount has already been paid to the petitioner, the interest on the gratuity amounting to Rs.35,986/- along with interest for the belated payment of arrears of increment due of Rs.1,01,519/- has to be paid.

6. Recording the said submissions made by the learned Senior Counsel appearing for the respondent Bank, for making the aforesaid payment ie., Rs.1,01,519/- and Rs.35,986/- within two weeks time is granted from today. Post the matter on 19.01.2021



under the caption “For Reporting Compliance”.

3. Pursuant to the said order, today it is submitted by the learned counsel for the respondent Bank that as agreed by the parties or directed by this Court, the aforesaid amount ie., a sum of Rs.1,01,519/- being 6% interest for the increment due payable to the petitioner as well as a sum of Rs.35,986/- being the interest on the gratuity amount, had been paid and having receipt of the same, the petitioner also has given acknowledgment.

4. The aforesaid submission made by the learned counsel for the respondent Bank has been endorsed and accepted by the learned counsel for the petitioner, who would also submit that, the said amounts in the two heads referred to above has been received by the petitioner.

5. In view of the said compliance, no further orders are required to be passed as no further issue is pending to be adjudicated in this Contempt Petition. Therefore, this Contempt Petition is closed.

SD/-

ASSISTANT REGISTRAR(COMM.CASES)

kst

//Certified to be true copy//

Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)

from 25th day of September 2008 the Registry is issuing Certified copies of the Orders/Judgments/Decrees in this format.



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To

The Special Officer
The Kanchipuram District Central
Cooperative Bank, No.15-G
Sakkupattaih, North Street
Kanchipuram – 631 501.