



Contempt Petition Nos.482 and 492 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.07.2021

CORAM

THE HON'BLE MR.JUSTICE R. SURESH KUMAR

Contempt Petition Nos.482 and 492 of 2021

A.Murugavelu,
No.49/52, Panneerselvam Street,
South N.S.Nagar,
Othakkalamandapam,
Coimbatore 641 032

... Petitioner in Cont.P.482 / 2021

R.Govindarajan,
No.1/67, Vetrilaikalipalayam,
Rakkipalayam,
Coimbatore 641 031

... Petitioner in Cont.P.492 / 2021

-Vs-

1.K.S.Mahendirakumar
The General Manager (Provident Fund
Section),Tamilnadu State Transport
Corporation, 37, Mettupalayam Road
Coimbatore Division, Coimbatore-641 043.

2.S.Sureshkumar
Branch Manager, Tamilnadu State Transport
Corporation, Ukkadam Branch No.II
Coimbatore District.

... Respondents in both petitions

Prayer : Contempt Petitions under Section 11 of the Contempt of Courts Act, 1971 to punish the respondent for wilful disobedience of the orders dated 02.12.2020 and 16.12.2020 passed by this Hon'ble Court in W.P.Nos.16351 of 2020 and 19037 of 2020 respectively.



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Contempt Petition Nos.482 and 492 of 2021

For Petitioners : Mr.A.Saravanan
For Respondents : Mr.A.Sundaravadanam
in both the Petitions Standing Counsel

ORDER

These Contempt Petitions have been filed for the alleged disobedience of the orders passed by this Court on 02.12.2020 and 16.12.2020 in W.P.Nos.16351 of 2020 and 19037 of 2020 respectively.

2. As per the directions issued in the aforesaid orders earlier, a sum of Rs.50,000/- from the Provident Fund Account of the respective petitioners were paid by the respondent Corporation.

3. However, the petitioners are eligible for higher amount. Despite the orders passed by this Court to pay the eligible amount to each of the petitioners, they have paid only a limited amount of Rs.50,000/- to each of the petitioners. Therefore, the orders have not been fully complied with and accordingly on this context, the present contempt petitions have been filed by the respective petitioners.

4. On consideration of the said plea raised by the petitioners, notice had been ordered and Mr.A.Sundaravadhanam, learned Standing Counsel having taken notice, sought for time to comply with the orders.

5. When that being so, when the matters were taken up for hearing on the last occasions i.e., on 16.06.2021 and 22.06.2021 respectively, the first respondent



ie., Mr.Mahendirakumar, General Manager (Provident Fund Section),Tamil Nadu

State Transport Corporation Coimbatore Division appeared before this Court through Video Conference and he sought for some reasonable time to make full compliance of the orders.

6. Accordingly, in both the cases, time was given to comply with the orders in full and as such, these contempt petitions were directed to be tagged together and listed together today for further hearing. That is how these contempt petitions have come up for further hearing today.

7. When these contempt petitions were taken up for hearing today, Mr.A.Sundaravadhanam, learned Standing Counsel for the respondents has submitted that, the orders of this Court in both the cases have been duly complied with. In support of the said contention, the learned Standing Counsel has relied upon the separate counter affidavit filed by the respondents in both the contempt petitions. Inter-alia the following has been stated in the counter affidavit filed by the respondents.

“ Cont.P.No.482 of 2021

5. I respectfully submit that as per the order of this Hon'ble Court, an amount of Rs.50,000/- was transferred to the petitioner account through RTGS transfer on 04.02.2021. The petitioner had filed the present contempt petition. This Hon'ble Court had issued statutory notice. As per the above Rule, a sum of Rs.80,000/- was



paid to the petitioner through Cheque Vide No.819571 dated 28.06.2021 on 29.06.2021 and the same was received on 29.06.2021 by the petitioner.”

“ Cont.P.No.492 of 2021

5. I respectfully submit that as per the order of this Hon'ble Court, an amount of Rs.50,000/- was transferred to the petitioner account through RTGS transfer on 22.01.2021. The petitioner had filed the present contempt petition. This Hon'ble Court had issued statutory notice. As per the above Rule, a sum of Rs.80,000/- was paid to the petitioner through Cheque Vide No.819570 dated 28.06.2021 on 29.06.2021 and the same was received on 29.06.2021 by the petitioner.”

8. By relying upon the above averments, the learned Standing Counsel would submit that, as per the relevant Rules, the respective petitioners are entitled to a sum of Rs.80,000/- each in addition to the sum of Rs.50,000/- already paid and accordingly the sum of Rs.80,000/- to each of the petitioners has been paid vide Cheque Nos.819571 and 819570 dated 28.06.2021 respectively, as stated in the aforesaid counter affidavit.

9. Learned counsel for the petitioner in both the cases, on instructions, would submit that, in both the cases the respective petitioners have received the cheque for a sum of Rs.80,000/- on 29.06.2021 as stated in the counter affidavit.

10. In view of the said development, where the full compliance has been



made by the respondents, this Court feels that these Contempt Petitions can be

closed. Accordingly, by recording the submissions of the learned counsel appearing for both sides and the averments made in the counter affidavit filed by the respondents, these contempt petitions are closed. The presence of Mr.Mahendirakumar, General Manager (Provident Fund Section),Tamil Nadu State Transport Corporation, Coimbatore Division, who also appeared today through Video Conference before this Court is noted and in view of the closing of the Contempt Petitions, his presence is also dispensed with.

SD/-

ASSISTANT REGISTRAR(COMM.CASES)

kst

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

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GS/14/07/2021

To

1. The General Manager (Provident Fund Section),
Tamilnadu State Transport Corporation,
37, Mettupalayam Road
Coimbatore Division, Coimbatore-641 043.
2. The Branch Manager,
Tamilnadu State Transport Corporation,
Ukkadam Branch No.II
Coimbatore District.