



WEB COPY

Cont.P.No.721 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.08.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKEVALU

Contempt Petition No.721 of 2021

T.Manivachagan,
Formerly Assistant Quality Inspector,
TN Civil Supplies Corpn LTD.,
SAlem .. Petitioner/Respondent/Petitioner

Vs.

1. K.Siva soundaravalli,
General Manager (Administration),
Tamil Nadu Civil Supplies Corporation
Limited, No.12, Thambusamy Road,
Kilpauk, Chennai 600 010.
2. N.Umamaheswari,
Senior Regional Manager,
Tamil Nadu Civil Supplies Corporation
Limited, Thanjavur Region,
Thanjavur. .. Respondents/Petitioners/Respondents

Prayer: Petition filed under Section 11 of Contempt of Courts Act, 1971, to punish the respondents for their willful and intentional disobedience to the order of the Hon'ble High Court in W.A.No.2236 of 2018 dated 15.03.2019.

For Petitioner : Mr.Alagu Goutham Muthappan

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ORDER

(Order of the Court was made by The Hon'ble Chief Justice)

The grievance of the petitioner in this contempt petition is that the retirement benefits due to the petitioner after deducting any amount on account of the punishment required to be suffered by the petitioner in terms of the relevant order dated March 15, 2019, have not been disbursed.

2. The order dated March 15, 2019 provided as follows in its operative part:

" 11. The order passed by the learned Single Judge is modified. We restore the punishment of stoppage of increment for a period of two years with cumulative effect as indicated in the order passed by the Disciplinary Authority dated 09.11.2011. We set aside the portion of the said order directing the respondent to reimburse to the Corporation, a sum of Rs.9,52,801.05/- being his contribution to the alleged loss.

12. The intra Court appeal is allowed in part as indicated above. No costs. Consequently, the connected miscellaneous petition is closed."

3. It is evident that the order impugned before the appellate court was modified and the punishment of stoppage of increment for a period of two years with cumulative effect as passed by the disciplinary authority was restored. The other part of the order providing for a certain amount to be



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reimbursed by the petitioner herein to the Corporation was also set aside.

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4. The present grievance of the petitioner is that his retiral dues have not been paid to him. The petitioner also claims that he has not been furnished any information as to what extent the deductions have been made on account of the cumulative effect of the stoppage of increment for two years.

5. Even though this jurisdiction can be invoked for the purpose of equitable execution of an order, the real purpose of the present petition is to ascertain the dues of the petitioner upon his superannuation. Since such aspect of the matter is not covered by the order dated March 15, 2019, the petitioner is left free to pursue any other remedy that may be available to the petitioner, but the real relief sought cannot be granted in this quasi-criminal jurisdiction.

Contempt Petition No.721 of 2021 is dropped. There will be no order as to costs.

SD/-

ASSISTANT REGISTRAR(COMM.CASES)

sra

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

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To

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1. The General Manager (Administration),
Tamil Nadu Civil Supplies Corporation
Limited, No.12, Thambusamy Road,
Kilpauk, Chennai 600 010.
2. The Senior Regional Manager,
Tamil Nadu Civil Supplies Corporation
Limited, Thanjavur Region,
Thanjavur.