



WEB COPY

Cont.P.No.693 of 2020

IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED: 23.04.2021

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

Cont.P.No.693 of 2020

R.Nagarajan,
No.55/9B, Subramania Nagar Extension,
Opp Vinayagar Kovil,
Sooramangalam,
Salem District – 636 005

...Petitioner

Vs

Thiru.Mohan,
The Managing Director,
Tamil Nadu State Transport
Corporation (Salem) Limited,
No.12, Ramakrishna Road,
Salem - 636 007.

...Respondent

PRAYER: Contempt Petition filed under Section 11 of Contempt of Court Act, praying to punish the respondent for willful disobedience of the order passed by this Court in W.P.No.26842 of 2016 dated 02.08.2016.

For Petitioner : Mr.N.Desinghu
For Respondent : Mr.D.Raghu

ORDER

The prayer in the present petition is to punish the respondent for having committed contempt of Court by disobeying the order of this Court made in W.P.No.26842 of 2016, dated 02.08.2016.



2. The learned counsel for the respondent would submit that the entire dues have been settled to the petitioner.

3. The learned counsel for the petitioner submitted that as per the calculation and implementation of the 7th Pay Commission, the petitioner is entitled for further arrears. This submission is disputed by the respondent in the counter affidavit stating that the petitioner would not be entitled for the additional claim.

4. This Court is of the view that such disputed facts cannot be adjudicated in a contempt petition. However, if the petitioner is aggrieved on the calculation of the settlement made, liberty is hereby granted to him to challenge the same in accordance with law. However, the disobedience alleged in the present contempt petition cannot be termed to be willful in nature.

5. Accordingly, the contempt petition stands closed.

SD/-
ASSISTANT REGISTRAR(COMM.CASES)

hvk

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)
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GS/06/07/2021

To

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The Managing Director,
Tamil Nadu State Transport
Corporation (Salem) Limited,
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Salem - 636 007.