



Cont.P.No.917/2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATE : 22.01.2021

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

Cont.P. No.917 of 2019

1.Pokkuvarathuk Kazhaka Oyvu Petra
Aluvalar Nala Sangam Kovai,
(Regd.No.269/2011)
Rep. By its Secretary.

2.K.Singaram,
EDP No.M 1077,
SF 2, Aakriti Flats,
221 Velachery Main Road,
Sembakkam, Chennai-600 073

.. Petitioners

- Vs -

1.J.Radhakrishnan,
The Additional Chief Secretary to Government,
Transport Department,
Secretariat, Fort. St. George,
Chennai 600 009.

2.K.Shanmugam,
The Additional Chief Secretary to Government,
Finance Department, Secretariat,
Fort. St. George, Chennai 600 009.

3.V.Venkatarajan,
The Administrator,
TNSTC Employees Pension Fund Trust,
SETC Office complex,
2, Pallavan Salai, Chennai 600 002.



4.V.Baskaran,
The Managing Director,
State Express Transport Corporation Tamil Nadu Ltd,
Thiruvalluvar House,
Pallavan Salai, Chennai 600 002.

5.R.Muthukrishnan,
The Managing Director,
Tamil Nadu State Transport
Corporation (Coimbatore) Ltd.,
37, Mettupalayam Road,
Coimbatore 641 043.

.. Respondents

Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971, praying to punish the respondents for wilful disobedience of the order of this Court in W.P.No. 26478 of 2018, dated 31.01.2019.

For Petitioner : Mr. Srinivasamoorthy for
M/S.Row and Reddy

For Respondents : M/S.P.Raja Lakshmi, AGP for RR1 &2
: Mr.C.S.K.Sathish for R3
: Mr.K.Kathiresan for R4
:Mr. A.Sundarvadhanan for R5

ORDER

Today, when this Contempt Petition was taken up, the learned counsel appearing for the parties jointly submitted that subsequent to the filing of this petition, G.O.(Ms)No.142, Transport (E) Department, dated 26.08.2019, came to be passed and the same was the subject matter of W.A.(MD)Nos.1122 to 1127 and 475 of 2019, which, by judgment dated 14.11.2019, were partly allowed, the operative portion of which, is

profitably extracted hereunder:-



“8.In our considered view, the reasonable approach for the respondents / writ petitioners to take is to accept the directions issued in the Government Order and obtain monetary benefits prospectively with liberty to question that portion of the Government Order, which is not beneficiary and prejudicial to the respondents / writ petitioners. There appears to be no serious objection for such course being adopted by the respondents / writ petitioners. In the light of the above, these writ appeals are partly allowed and the directions issued in the writ petitions are set aside and modified as follows:-

(a) The appellants are directed to give effect to the Government Order in G.O.Ms.No.142, Transport (E) Department, dated 26.08.2019 and extend the benefits granted by the Government in paragraph 3(b) of the Government Order, pay monetary benefits prospectively within a period of twelve weeks from the date of receipt of a copy of this order.

(b) We make it clear that acceptance of the payments by the respondents / writ petitioners shall be without prejudice to their rights to question that portion of the Government Order, which according to them are prejudicial to the interest and such other matter as they deem appropriate to adjudicate.

No costs. Consequently connected miscellaneous petitions are allowed.”



Thus, according to the learned counsel, nothing survives for adjudication herein.

2.Recording the above, this contempt petition stands closed.

SD/-

ASSISTANT REGISTRAR(COMM.CASES)

jrs

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

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Gs/19/04/2021