



WEB COPY

Cont.P.No.1122 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.12.2021

CORAM

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

Cont.P.No.1122 of 2020

in

W.P.No.40048 of 2005

Ravi,
ThoppuTheru,
Neikuppai, Vazhuvur Post,
Kuttalami Taluk 609 401,
Nagapattinam District

.. Petitioner

Vs.

S.Ponmudi ,
Management,
TamilNadu State Transport Corporation,
Kumbakonam, Thanjavur District

.. Respondent

PRAYER: Contempt Petition filed under Section 11 of the Contempt of Courts Act, to punish the respondent for willful disobedience of the order of this Court dated 25.07.2019 made in W.P.No.40048 of 2005.

For Petitioner : Mr.S.Sounthar

For Respondent : Mr.D.Venkatachalam

ORDER

The present Contempt Petition has been filed to punish the respondent for non-compliance of the order of this Court dated 25.07.2019 made in W.P.No.40048 of 2005.



2.From the materials available on record, it is seen that this Court, by common order dated 25.07.2019 in W.P.Nos.40048 of 2005, 12791 of 2006 & 17864 of 2012, partly allowed the W.P.No.40048 of 2005 filed by the petitioner, granting 50% of the backwages and dismissed the W.P.No.12791 of 2006 filed by the respondent – Transport Corporation challenging the order of reinstatement with continuity of service.

3.Considering the above facts, this Court is of the view that it is for the petitioner to file claim petition for computation of the amount under Section 33 (C) (2) of the Industrial Disputes Act, 1947. As far as reinstating the petitioner is concerned, he has to file EP for execution of the award. It is open to the petitioner to take appropriate proceedings under the Industrial Disputes Act and contempt does not arise. In view of the provisions of Industrial Disputes Act available to the petitioner, this Contempt Petition is dismissed.

SD/-

ASSISTANT REGISTRAR(COMM.CASES)

vkrr/rgr

//Certified to be true copy//

Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)

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GS/03/03/2022