



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.09.2021
CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

CONT.P.(MD)Nos.284 & 285 of 2021 IN
W.P.(MD)No.14557 of 2014

S.S.Naganathan ... Petitioner/Petitioner
in Cont.P.(MD)No.284 of 2021

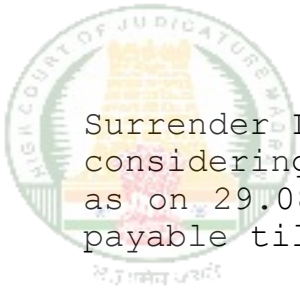
M.Shajahan ... Petitioner/Petitioner
in Cont.P.(MD)No.285 of 2021

Vs.

1. K.Siva Soundaravalli,
General Manager (Administration),
Tamil Nadu Civil Supplies Corporation,
No.12, Thambusamy Road,
Kilpauk,
Chennai - 10.
2. Uma Maheshwari,
Regional Manager,
Tamil Nadu Civil Supplies Corporation,
Sivagangai Region,
Sivagangai. ... Contemnors/Respondents
in both petitions

Prayer in Cont.P.(MD)No.284 of 2021: Contempt petition is filed under Section 11 of the Contempt of Courts Act, to punish the respondents for the willful disobedience of this Court order dated 19.01.2018 and amended order dated 20.02.2018 in W.P.(MD)Nos.14557 and 13876 of 2014 and to direct the respondents to disburse the petitioner's retiral benefits from his Earned Leave, Unearned Leave, Surrender Leave benefits and caution deposit without any recovery by considering the remittance of Rs.60,000/- by their client as early as on 20.08.2018 with 12% interest from the date on which it became payable till the date of realisation.

Prayer in Cont.P.(MD)No.285 of 2021: Contempt petition is filed under Section 11 of the Contempt of Courts Act, to punish the respondents for the willful disobedience of this Court order dated 19.01.2018 and amended order dated 20.02.2018 in W.P.(MD)Nos.14557 and 13876 of 2014 and to direct the respondents to disburse the petitioner's retiral benefits from his Earned Leave, Unearned Leave,



Surrender Leave benefits and caution deposit without any recovery by considering the remittance of Rs.1,00,000/- by their client as early as on 29.08.2018 with 12% interest from the date on which it became payable till the date of realisation.

Prayer in WP(MD) . 14557/ 2014 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus, call for the records relating to the impugned order passed by the third respondent vide Na.ka.No. AC7/4915/2010 dated 24.7.2014 and quash the same and consequently direct the respondents to pay the retirement benefit payable to the petitioner with interest at the rate of 12% from the date on which it become payable till the date of realization .

Prayer in WP(MD) . 13876/ 2014 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus, call for the records relating to the Impugned order passed by the third respondent vide Na.Ka. N:o. AC7/4915/2010 dated 30.06.2014 and quash the same and consequently direct the respondents to pay the retirement benefit payable to the petitioner with interest at the rate of 12% from the date on which it become payable till the date of realization.

(in both Cont.Ps.)

For Petitioner : No Appearance

For Respondents : Mr.R.Vijayakumar

* * *

O R D E R

None appears for the petitioners.

2. The petitioners complain that the order passed by this Court on 19.01.2018 in W.P.(MD)Nos.14557 and 13876 of 2014 has not been complied with.

3. The learned Standing counsel informs the Court that the leave salary of the petitioners' alone has been withheld and that the other retiral benefits were already paid. On the last occasion, this Court directed the authorities to pass a speaking order. In the case of Naganathan, such a speaking order was passed on 30.06.2021. In the case of Shajahan, such a speaking order was passed on 12.05.2021.



WEB COPY

4. It is open to the petitioners herein to challenge the said proceedings in the manner known to law. These contempt petitions are closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

pmu

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

2. Web copy of this order shall be uploaded on 03.09.2021.

To :

1. The General Manager (Administration),
Tamil Nadu Civil Supplies Corporation,
No.12, Thambusamy Road,
Kilpauk,
Chennai - 10.
2. The Regional Manager,
Tamil Nadu Civil Supplies Corporation,
Sivagangai Region,
Sivagangai.

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W.P.(MD)No.14557 of 2014
02.09.2021

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