



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.02.2021

CORAM:

THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

Cont.P.(MD)No.331 of 2020

WEB COPY

P.Meenatchi

... Petitioner

versus

1. Mr.P.Velsamy,
The Director Local Fund Audit
Combined Finance Department Complex,
4th Floor, Nandhanam,
Chennai - 600 035.

2. Tmt.R.Kamala,
The Municipal Commissioner,
Periyakulam Municipality,
Theni District.

... Respondents

Contempt Petition filed under Section 11 of Contempt of Courts Act, to punish the contemnors for their willful disobedience of the order passed by this Court in W.P.(MD)No.15573 of 2017 dated 11.04.2019.

Prayer in W.P.(MD)No.15573 of 2017:

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, directing the respondents 1 and 2 to pay the entire amount mentioned in the petition, dated 21.04.2017 as per the calculation sheet with further interest at the rate of 12% p.a., till the date of disbursement.

For Petitioner :	Mr.S.Suresh Kumar Isaac Paul
For Respondents:	Mr.M.Muthugeethaiyan, Special Government Pleader for R1 Mr.M.Karuppasamy Pandian for R2

ORDER

Today, when the matter is taken up for hearing, the learned counsel appearing for the petitioner submitted that except the provident fund amount, other benefits were not paid to the petitioner. Hence, the learned counsel for the petitioner prayed this Court to direct the respondents to pay other benefits to the petitioner.



2. This petitioner originally filed a writ petition before this Court in W.P.(MD)No.15573 of 2017, seeking a Writ of Mandamus, to direct the respondents to pay the entire amount mentioned in the petition, dated 21.04.2017, as per the calculation sheet with further interest at the rate of 12% p.a. till the date of disbursement.

3. This Court, vide order, dated 11.04.2019, in W.P.(MD) No.15573 of 2017, recorded the statement of the second respondent that the total amount of Provident Fund interest of Rs.21,117/-, the amount of Rs.6,990/- and interest of 5th pay commission of Rs.3,642/-, already has been paid to the petitioner and the balance amount of Rs.10,485/- will be paid shortly, which was also agreed by the learned counsel for the petitioner and directed the second respondent to settle the amount as claimed by the petitioner, within a period of twelve weeks from the date of receipt of a copy of the order.

4. In compliance with the said order, the second respondent, by its letter dated 09.02.2020, informed that the amount of Rs.10,485/- has been settled to the petitioner.

5. Since the amount as agreed by the petitioner in the writ petition has been settled and there was no objection on the side of the petitioner in not granting other benefits while disposing the writ petition, the claim now made by the petitioner to settle other benefits cannot be entertained by this Court at this stage.

6. In view of the above, the Contempt Petition is closed.

Sd/-

Assistant Registrar(CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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.



To

1. The Director Local Fund Audit
Combined Finance Department Complex,
4th Floor, Nandhanam,
Chennai - 600 035.

2. The Municipal Commissioner,
Periyakulam Municipality,
Theni District.

+1 CC to M/s.GP (SR-4897[F] dated 15/02/2021)

Cont.P. (MD) No.331 of 2020
10.02.2021

NSM(CO)
TR(22.02.2021) 3P 4C