



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.03.2021

CORAM:

THE HONOURABLE **MR.JUSTICE M.S.RAMESH**

Cont P.(MD)No.404 of 2021

and

Sub Application (MD) No.95 of 2021

in WP(MD)No.17038 of 2020

A.P.Raja

... Petitioner/Petitioner

/vs./

Mr.Anbalagan,
The District Collector,
Madurai District,
Madurai.

...Contemnor/Respondent

PRAYER: Contempt Petition is filed under Section 11 of the Contempt of Court Act, 1971, to punish the respondent herein for his Act of the Contempt for the non-compliance of the order of this Court dated 27.11.2020 made in W.P(MD) No.17038 of 2020 deliberately forthwith.

Prayer in WP(MD). 17038/ 2020 :

Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue any writ or a writ in the nature of writ of mandamus directing the respondents No.1 and 2 to recover a sum of Rs.5,36,158/- (Rupees Five Lakhs Thirty Six Thousand one hundred and Fifty Eight only) being the arrears of gratuity payable to the petitioner with subsequent interest at the rate of 10 percent per annum from the 4th respondent under the revenue recovery proceedings as per the certificate/Communication dated 10.09.2020 made in Na.Ka.No.AA6/2256/2020 issued by the 3rd respondent under section 8 of the payment of Gratuity Act within a time frame as stipulated by this Honble Court forthwith.

For Petitioner : Mr.S.Ranjith Kumar

For Respondent : Mr.P.Mahendran
Additional Government Pleader

ORDER

The learned Additional Government Pleader for the respondent submitted that the respondent herein had initiated the recovery proceedings and had deposited outstanding amount before the Controlling Authority on 16.03.2021. Hence, the disobedience alleged cannot be termed as willful in nature.



2.However, if the petitioner is of the view that the amount recovered by the respondent through Revenue Recovery Act dated 16.03.2021 is not to the satisfaction of the order passed by the Controlling Authority, it is open to him to challenge the same in manner known to law.

3.Accordingly, this Contempt Petition stands closed. Consequently, connected Sub Application (MD) No.95 of 2021 is closed.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

cp

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:-

The District Collector,
Madurai District,
Madurai.

+1 CC to M/s.SPL GP (SR-12183[F] dated 18/03/2021)

Cont P.(MD)No.404 of 2021
17.03.2021

sgs(CO)
TR(17.05.2021) 2P 3C