



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.10.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.DURAI SWAMY

AND

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

Cont.P(MD)No.1022 of 2021

in

W.A(MD)No.1288 of 2018

1.M.Manivannan

2.K.Anandh @ Anandhan

... Petitioners/Petitioners

Vs.

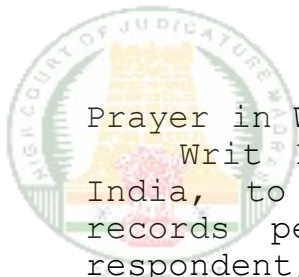
1.R.John George,
Factory Manager,
Ponds Hindustan Unilever Limited,
St.Mary's Road,
Kodaikanal - 624 101.

2.Sanjivmehta,
(Managing Director),
Hindustan Unilever Limited,
Head Office, Unilever House,
S.D.Sawant Marg,
Chakala, Andheri (E),
Mumbai - 400 099.

... Contemnors/Respondents 1 & 2

Prayer: Petition filed under Section 11 of the Contempt of Courts Act, 1971, to commit and punish the contemnors/respondents 1 and 2 for their willful, deliberate and intentional disobedience and non-compliance of the order passed by this Court in W.A(MD)No.1288 of 2018 dated 03.10.2019.

Prayer in WA(MD).No.1288 of 2018: Writ Appeal is filed under Clause 15 of the Letters Patent, praying to set aside the order passed by the learned Judge in W.P.[Md]No.18937/2016 dated 04.06.2018 in so far as restricting the reliefs to a sum of Rs.1,00,000/- to each of the appellants and direct the respondents 1 and 2 to pay Rs.2,57,937/- from 09.11.2001 to till the date of payment and to pay to each of the appellants with interest at the rate of 12% per annum after adjusting some of Rs.1,00,000/- (One Lakh) which was ordered to be paid in the writ petition.



Prayer in W.P.[MD]No.18937/2016 :

Writ Petition is filed under Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for records pertaining to the impugned order passed by the third respondent, dated 23.01.2013 relates to Point No.3 and quash the same as illegal and arbitrary and consequently directing respondents 1 and 2 to give back wages of the petitioners service period till the closure of the Company.

For Petitioner : Mr.V.Ajoykhose
For R - 1 : Mr.Madhan Babu
for Mr.R.Partha Sarathy

ORDER

(Order of the Court was made by **M.DURAISWAMY, J.**)

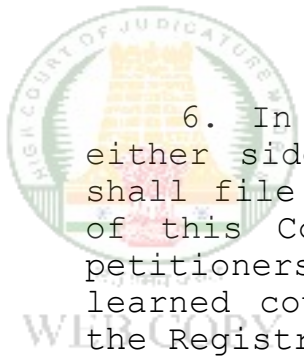
When the Contempt Petition is taken up for hearing, Mr.Madhan Babu, learned counsel appearing for the first respondent submitted that the first respondent is tendering a sum of Rs.8,12,759/- (Rupees Eight lakhs twelve thousand and seven hundred and fifty nine only) each, to the petitioners by way of Demand Drafts in due compliance of the order passed in W.A(MD)No.1288 of 2018, dated 03.10.2019.

2.Mr.V.Ajoykhose, learned counsel appearing for the petitioners submitted that the Demand Drafts may be handed over to Mr.A.Rahul, learned counsel, who is available in the Court. The learned counsel appearing for the first respondent also handed over the Demand Drafts to Mr.A.Rahul and also filed the xerox copies of two Demand Drafts for a sum of Rs.8,12,759/- (Rupees Eight lakhs twelve thousand and seven hundred and fifty nine only) each drawn in Hongkong and Shanghai Banking Corporation Limited in favour of the petitioners 1 and 2 separately along with computation of TDS.

3.The learned counsel on either side submitted that the amount is being paid and received by the parties without prejudice to their contentions in W.M.P.No.31211 of 2018 in W.P.No.8291 of 2006 on the file of the Principal Seat of this Court.

4.It is open to the parties to raise all their contentions in the said petition at the time of making their submissions.

5.Mr.V.Ajoykhose, learned counsel appearing for the petitioners submitted that since the petitioners have received the amount, the Contempt Petition may be closed. Further, the learned counsel submitted that the petitioners would file an affidavit before this Court as to the production of the Memorandum of Settlement, dated 04.03.2016, which is in the custody of the Registrar of this Court in a sealed cover.



6. In view of the submission made by the learned counsel on either side, the Contempt Petition stands closed. The petitioners shall file an affidavit on or before 27.10.2021 before the Registry of this Court and the same shall form part of the record. The petitioners are directed to serve the copy of the affidavit on the learned counsel for the respondents before filing the same before the Registry of this Court. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

ps

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.R.John George,
Factory Manager,
Ponds Hindustan Unilever Limited,
St.Mary's Road,
Kodaikanal - 624 101.

2.Sanjivmehta,
(Managing Director),
Hindustan Unilever Limited,
Head Office, Unilever House,
S.D.Sawant Marg,
Chakala, Andheri (E),
Mumbai - 400 099.

Copy to

- 1.The Registrar Judicial,
Madurai Bench of Madras High Court, Madurai.
2. The Section Officer, Contempt Section
Madurai Bench of Madras High Court, Madurai .



Cont.P(MD)No.1022 of 2021

+1 CC to M/s.RAHUL BALAJI, Advocate (SR-31661[F] dated 07/10/2021)

Cont.P (MD) No.1022 of 2021
in

W.A (MD) No.1288 of 2018
06.10.2021

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