



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.09.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Cont. P(MD)Nos.1103 & 1004 of 2020

in

W.P(MD)Nos.3113 of 2015 & 20966 of 2014

WEB COPY

In Cont.P. (MD)No.1103 of 2020

U.Swaminathan

... Petitioner/Writ Petitioner

Vs.

1.Dr.Atulya Misra I.A.S,
The Additional Chief Secretary to Government,
Revenue Department,
Secretariat,
Chennai-600 009.

2.Thiru.J.Jayakanthan I.A.S,
The District Collector,
Sivagangai District,
Sivagangai.

... Contemnors/Respondents

Prayer: Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971 to punish the respondents for their willful and deliberate disobedience to the orders of this Court in W.P.(MD) No.3113 of 2015 dated 23.03.2018.

Prayer in WP(MD)Nos.20966/2014, 3113/ 2015 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, directing the first and third respondents i.e the Principal Secretary to Government, Revenue Department, Chennai and the District Collector, Sivagangai to send revised pension proposals to the Accountant General, Chennai calculating half of the services put in by the petitioner as Karnam within a specified time frame that may be fixed by this Honourable Court.

In Cont.P. (MD)No.1004 of 2020

N.Kottaichamy

... Petitioner

Vs.

1.Dr.Atulya Misra I.A.S,
The Additional Chief Secretary to Government,
Revenue Department,
Secretariat, Chennai-600 009.



2.Thiru.J.Jayakanthan I.A.S,
The District Collector,
Sivagangai District,
Sivagangai.

... Respondents

Prayer: Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971 to punish the respondents for their willful and deliberate disobedience to the orders of this Court in W.P.(MD) No.20966 of 2014 dated 23.03.2018.

For Petitioner : Mr.S.Visvalingam
For Respondents : Mr.Veerakathiravan
Additional Advocate General
assisted by Mr.Ragavendran

(in both Cont. Petitions) Government Advocate

COMMON ORDER

Contending that the order dated 23.03.2018 passed in W.P.(MD) Nos.20966 of 2014 etc. batch has not been complied with, these contempt petitions came to be filed.

2.When the matter was taken up for hearing, the learned Additional Advocate General representing the contemnors submitted that the Government had issued G.O.Ms.No.560 dated 14.09.2021 implementing the order passed by this Court subject to the outcome of the Review Application No.13 of 2021. It is further stated that the implementation process based on this G.O will commence very soon. I make it clear that any benefit derived by the petitioner under this G.O will have to abide by the outcome of the Review Application No.13 of 2021. I clarify that in the event of Government succeeding in Review Application No.13 of 2021, benefits to be received by the petitioner under this G.O will have to be redeposited.

3.With this observation, these contempt petitions are closed.

Sd/-

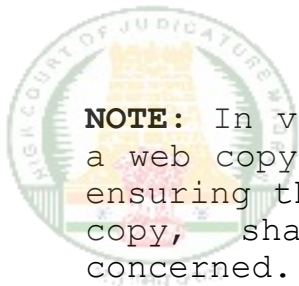
Assistant Registrar (CS II)

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/ /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.

WEB COPY

To

1.Dr.Atulya Misra I.A.S,
The Additional Chief Secretary to Government,
Revenue Department,
Secretariat,
Chennai-600 009.

2.Thiru.J.Jayakanthan,
The District Collector,
Sivagangai District,
Sivagangai.

+1 CC to M/s.S.VISVALINGAM, Advocate (SR-30924[F] dated
01/10/2021)

+2 CC to M/s.SPL.GP (SR-30887, 30888 dated 01/10/2021)

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in

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ES (CO)/RS (12.10.2021) 3P 6C