



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.03.2021

CORAM:

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

Cont P. (MD) No.959 of 2020

P.Radha Krishnan

... Petitioner/Petitioner

/vs./

K.Mari Kani

The Deputy General Manager,

Tamil Nadu Cements Corporation Limited,

(A Government of Tamil Nadu Undertaking)

Alangulam Works,

Tamil Nadu Cements Post-626 27,

Virudhunagar District.

...Contemnor/Respondent

PRAYER: Contempt Petition is filed under Section 11 of the Contempt of Court Act, 1971, to punish the contemnor for contempt of Court, for committing contempt by willfully disobeying the order of this Court in W.P(MD) No.27294 of 2019 dated 02.01.2020.

Prayer in WP(MD). 27294 of 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus, to direct the third respondent to pay the salary and the revised pay scale as requested in the petitioner's representation dated 1.10.2019 within a time frame fixed by this Court.

For Petitioner : Mr.J.Nantha Kumar

For Respondent : Mr.S.Venkatesh

ORDER

It is stated by the learned counsel for the respondent that the petitioner had earlier given a representation and this Court vide its order dated 08.02.2019 in W.P(MD) No.2834 of 2019, had directed the respondents to consider the petitioner's representation. As against the order of the Writ Court, the respondents have filed an appeal in W.A(MD) SR No.14184 of 2019. The present order, against which the contempt has been filed, is also for consideration of the representation where the petitioner has made a similar request. Since the issue involved in the orders of this Court in W.P(MD) No.2834 of 2019 is identical to the case in W.P(MD) No.27294 of 2019 and the respondents have chosen to file an appeal against the orders in W.P(MD) No.2834 of 2019, it would not be appropriate to keep the contempt pending.



2. Accordingly, this Contempt Petition is closed. However, if the petitioner is of the view that the disobedience continuous, even after disposal of the writ appeal, it is open to him to work out his remedy in accordance with law.

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Sd/-

Assistant Registrar(Records)

// 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

K.Mari Kani
The Deputy General Manager,
Tamil Nadu Cements Corporation Limited,
(A Government of Tamil Nadu Undertaking)
Alangulam Works,
Tamil Nadu Cements Post-626 27,
Virudhunagar District.

+1 CC to M/s.A.SIVAJI, Advocate (SR-9294[F] dated 05/03/2021)

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DKS (CO)

TR(31.03.2021) 2P 3C