



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.09.2021

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

Cont.P.(MD) No.1251 of 2021

in

W.P.(MD) No.1730 of 2020

WEB COPY

R.Selvaraj

... Petitioner / Petitioner

-VS-

Ganesan

The General Manager

The Tamil Nadu State Transport

Corporation (Madurai) Ltd.,

Dindigul Region

Collector Office (Po)

Dindigul-4

... Contemnor / Respondent

PRAYER: Contempt Petition is filed under Section 11 of the Contempt of Courts Act praying to commit and punish the contemnor / respondent for willfully disobeying and non complying with the order dated 29.01.2020 in W.P.(MD) No.1730 of 2020.

Prayer in WP(MD). 1730/ 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court Directing the respondents to pay the amount towards the encashment of 90 days of earned leaves surrendered by him in the years from 2009 to 2015 before the petitioner retirement either based on his monthly wages of the respective months of surrender of those earned leaves, together with 18 percent interest per annum from the respective due dates or based on monthly wages payable on the month of his retirement, together with 18 percent per annum interest from the date of his retirement within a time frame .

For Petitioner : Mr.G.M.Xavier

For Respondent : Mr.J.Senthil Kumaraiah
Standing Counsel

O R D E R

This contempt petition has been filed alleging wilful disobedience of the order, dated 29.01.2020, made in W.P.(MD) No.1730 of 2020.

2. The learned Standing Counsel appearing for the respondent Transport Corporation would submit that as directed by this Court, the petitioner has not submitted any fresh

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representation, instead he sent only a Lawyer's notice dated 15.04.2021. Therefore, if any such fresh representation is made by the petitioner as directed by this Court, the same will be considered in the light of the directions issued by this Court.

3. On perusal of the materials available on record, as rightly pointed out by the learned Standing Counsel for the respondent Transport Corporation, it is seen that the petitioner has not submitted any fresh representation, but sent only a Lawyer's notice dated 15.04.2021. Therefore, the contempt petition cannot be entertained. However, liberty is granted to the petitioner to submit a representation afresh to the respondent forthwith seeking for settlement of surrender leave salary and if such fresh representation is made by the petitioner, the respondent shall consider the same, as directed by this Court in the writ petition, within a period of two weeks therefrom.

4. Accordingly, the contempt petition is closed.

Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

krk

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 General Manager
The Tamil Nadu State Transport
Corporation (Madurai) Ltd.,
Dindigul Region
Collector Office (Po)
Dindigul-4

Cont.P. (MD) No.1251 of 2021
in

W.P. (MD) No.1730 of 2020
17.09.2021

PS (CO)

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