



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.02.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Cont.P. (MD)No.1489 of 2019

in

W.P.(MD).No.4006 of 2007

S.Alagianambi

... Petitioner

Vs.

1.Mr.A.Ashok Kumar,
The Chief Engineer (Personnel),
Tamil Nadu Generation and Distribution Corporation,
8th Floor, N.P.K.R.K.Maligai,
144, Anna Salai,
Chennai 600 002.

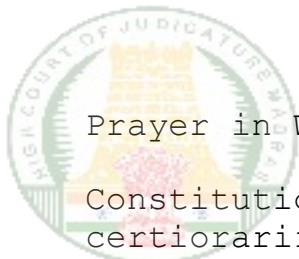
2.K.Selvakumar,
The Chief Engineer (Distribution),
TANGEDCO,
Maharaja Nagar,
Sivanthiatti Road,
Tirunelveli 627 011.

3.Mr.J.L.Anand,
Superintending Engineer (incharge),
(Former incumbent was Additional Chief Engineer),
Tirunelveli Distribution Circle,
TANGEDCO, Maharaja Nagar,
Sivanthipatti Road,
Tirunelveli 627 011.

4.P.Mutharasu,
Executive Engineer,
TANGEDCO,
Tiruchuli Road,
Aruppukottai,
Virudhunagar District 626 101.

... Respondents

Prayer: Contempt Petition is filed under Section 11 of the Contempt of Courts Act, 1971, to initiate appropriate contempt proceedings against the respondents herein under Sections 11 and 12 of the Contempt of Courts Act for the wilful disobedience of the order dated 29.01.2014 made in W.P.(MD).No.4006 of 2007 and consequently punish the respondents in the event of holding them guilty of the contempt.



Prayer in WP(MD). 4006/ 2007 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of certiorari mandamus, calling for the records relating to the proceedings of Additional Chief Engineer, Tirunelveli distribution Circle, Tirunelveli, the second respondent herein made in his Memo No. 25844/855/Neep,.4/Oo.1/06 dated 26/08/2006 and the proceedings of the chief Engineer, Distribution, Tamil nadu Electricity board, Tirunelveli, the first respondent herein made in memo No. 19999/514/Neep/C1/2006-2 dated 29/12/2006 quash the same and direct the respondents herein to disburse all the arrears which has been withheld on account of the above orders within a short date that may be fixed by this Honouable court with all consequential service and monitory benefits due to the petitioner on account of the passing of the above orders.

For Petitioner	:	Mr.K.Rajkumar
For Respondents	:	Mr.T.Sakthi Kumaran
		Standing counsel

O R D E R

Alleging disobedience of the order of this Court in W.P.(MD). No.4006 of 2007, dated 29.01.2014, the petitioner has filed the present contempt petition.

2. When the matter is taken up for hearing today, the respondents 1, 2 and 3 have filed a counter, in which, in Paragraph No.9, it is stated as follows:

"9. I deny the petitioner statement and humbly stated that, there is no specific mention about the regularisation of the unauthorised absence period in the High Court in W.P. (MD).No.4006/2007, judgment dated 29.01.2014. As far as the pay fixation of the notional promotion of Inspector of Assessment and Revenue Supervisor, the pay and allowance particulars were called for his Junior Thiru.R.Manikavasagam and received vide SE/Chennai Electricity Distribution Circle / west dated 23.09.2019 and the petitioner pay was revised as per judgment dated 29.01.2014 vide EE/APK/M.No.787/19 dated 23.09.2014.

(i). Arrears amount Rs.3,66,643/- for revised pay fixation.

(ii). Revised Encashment of Earn Leave for 220 days = Rs.1,23,215/-.

(iii). Revised Encashment of Earn Leave on Private Affairs for 180 days, amounting to Rs.50,407/- was sanctioned and amount disbursed vide Cheque No:150973, dated 08.11.2019 to the petitioner on 13.11.2019.

As per the Hon'ble High Court W.P.(MD).No.4006/2007

order dated 29.01.2014, all eligible promotion and revised



arrears amount of totally Rs.5,40,265/- have been made to the petitioner."

3. In view of the Paragraph No.9 of the counter affidavit, the Contempt Petition is closed. However, liberty is granted to the petitioner to work out the remedy, in the manner known to law.

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Sd/-

Assistant Registrar (AD II)

// True Copy //

/ /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.

To

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Aruppukottai,
Virudhunagar District 626 101.

<https://hcservices.ecourts.gov.in/hcservices/>



5.The Chief Engineer(Distribution),
Tamil Nadu Electricity Board,
Tirunelveli.

6.The Additional Chief Engineer,
Tirunelveli Electricity Distribution Circle,
Tirunelveli 11.

7.The Executive Engineer,
Tamil Nadu Electricity Board,
Aruppukkottai,
Virudhunagar District.

+1 CC to M/s.K.RAJ KUMAR, Advocate (SR-3238[F] dated 04/02/2021)

+1 CC to M/s.T.SAKTHI KUMARAN, Advocate (SR-3607[F] dated
05/02/2021)

Cont.P. (MD)No.1489 of 2019
in
W.P. (MD) .No.4006 of 2007
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NA (CO)
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