

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.02.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Cont.P.No.1404 of 2021

P.Meeraza,
No.90A, Jailani Street,
Tuticorin 628 002

... Petitioner

Vs.

1.Mr.R.Ramkumar
Chief Engineer,
Tamil Nadu Generation and Distribution Corporation Ltd.
North Chennai Thermal Power Station I,
Chennai 600120.

2.Mr.K.Kandasamy
Superintending Engineer / Mech II,
TANGEDCO,
North Chennai Thermal Power Station I,
Chennai 600120.

3.Mr.J.Jayashankar,
Superintending Engineer / Mech-I,
TANGEDCO,
North Chennai Thermal Power Station I,
Chennai 600120.

... Respondents

Prayer: Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971, to punish the respondents for willfully disobeying the common order dated 24.2.2021 passed in W.P.NO.13238 of 2020.

For Petitioner : Mr.T.Sudhanraj

For Respondents : Mr.J.Ravindran, Additional Advocate General
assisted by Mr.L.Jaivenkatesh, Standing Counsel

ORDER

The petitioner has filed this petition to punish the respondents for willfully disobeying the common order dated 24.2.2021 passed in W.P.NO.13238 of 2020.

2. Mr.J.Ravindran, learned Additional Advocate General assisted by Mr.L.Jaivenkatesh, learned Standing counsel, submitted that the petitioner has filed the Writ Petition challenging the order dated 15.12.2018, and the Writ Petition was allowed in favour of the petitioner and this Court directed the respondent to pay the withheld amount of (*)**Rs.1,23,38,028/-** to the petitioner. Aggrieved by the said order, the respondents have preferred Writ Appeals in W.A.Nos.3038 and 3039 of 2021. Since no interim order was passed in the said Writ Appeals, without prejudice to their rights, the respondents are ready to deposit the entire amount in the name of the Registrar General, High Court, to the credit of the Writ Appeals, in an interest bearing deposit and subject to the outcome of the Writ Appeals.

3. The learned counsel appearing for the petitioner has no serious objection for the submission made by the learned counsel for the petitioner.

4. After considering the arguments advanced by the learned Additional Advocate General and perusal of the documents, this Court is of

the view that as against the order of the Writ Petition, the respondents have preferred the above said Writ Appeals and during the pendency of the Writ Appeals, the amount cannot be disbursed in favour of the petitioner. However, as undertaken by the learned Additional Advocate General, the respondents are directed to deposit **(*)Rs.1,23,38,028/- (Rupees One Crore, Twenty Three Lakhs, Thirty Eight Thousand and Twenty Eight only)** in the name of the Registrar General, High Court, to the credit of W.A.Nos.3038 and 3039 of 2021, in an interest bearing deposit and liberty is granted to the parties that subject to the outcome of the Writ Appeal, appropriate parties may file application for disbursal of the amount.

5. For the reasons aforesaid, this Contempt Petition is closed. No costs.

SD/-
ASSISTANT REGISTRAR(COMM.CASES)

sk

//Certified to be true copy//

Dated at Madras this day of 2022.

COURT OFFICER(O.S.)

from 25th day of September 2008 the Registry is issuing Certified copies of the Orders/Judgments/Decrees in this format.

GS/28/04/2022

**(*)Correction carried out as per the
order dated 08/04/2022 made in Cont P.No.1404 of 2021**

To

1. The Chief Engineer,
Tamil Nadu Generation and Distribution Corporation Ltd.
North Chennai Thermal Power Station I,
Chennai 600 120.
2. The Superintending Engineer / Mech II,
TANGEDCO,
North Chennai Thermal Power Station I,
Chennai 600 120.
3. The Superintending Engineer / Mech-I,
TANGEDCO,
North Chennai Thermal Power Station I,
Chennai 600 120.