



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

Contempt Petition No.1385 of 2019

V.Saravan Bavan,
92/D, North Car Street,
Sirgazhi,
Nagapatinam District – 609 110.

.. Petitioner

-Vs-

G.Varadharajan,
S/o.Ganesan,
The Assistant Executive Engineer,
Cavery Modernization Sub Division,
Public Works Department,
Myladutharai,
Nagappatinam District.

.. Respondent

PRAYER: Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971, praying to punish the respondent herein for willful violation of the order of this Court made in W.P.No.10572 of 2013 dated 07.12.2018.

For Petitioner : Mr.G.Dinesh Kumar

For Respondent : Mr.Veda Bagath Singh,
Special Government Pleader

**ORDER**

WEB COPY

Among others, the respondents were directed to pay the wages from the date of reinstatement till the date of the petitioner's superannuation, by the Writ Court. Alleging non-compliance of the order of this Court dated 07.12.2018, the present contempt petition has been filed.

2. The learned Special Government Pleader, on written instructions, submitted that out of the arrears of wages, a sum of Rs.1,14,030/- has already been paid for the period between 01.03.1999 and 30.11.2010 and the arrears of the wages amounting to Rs.34,650/- has also been sent by ECS on 20.07.2020 to the petitioner's Savings Bank account. According to the learned Special Government Pleader, the entire arrears, from the date of reinstatement till the date of superannuation, has already been paid.

3. This Court is of the considered opinion that in view of the payments made, as seen from the written instructions submitted by the learned Special Government Pleader, the disobedience alleged on the part of the respondent cannot be termed to be willful in nature. However, if the petitioner is of the view that the payments received by him from the respondent, are not in full and final

<https://hcservices.hccourts.gov.in/hcservices/> settlement of the arrears of wages, between the date of reinstatement till the date



of his superannuation, liberty is hereby granted to him to file a fresh writ petition,
in accordance with law.

4. With the above liberty, the Contempt Petition stands closed.

SD/-

ASSISTANT REGISTRAR (COMM.CASES)

hvk

//Certified to be true copy//

Dated at Madras this the 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/26.04.2022

To

The Assistant Executive Engineer,
Cavery Modernization Sub Division,
Public Works Department,
Myladutharai,
Nagappatinam District.