



Cont.P.No.2464 of 2018 & W.P.No.31841 of 2013

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.02.2022

CORAM

THE HONOURABLE MR. JUSTICE M.S. RAMESH

Cont.P.No.2464 of 2018
and W.P.No.31841 of 2013 & M.P.No.1 of 2013

Cont.P.No.2464 of 2018

R.Chinnadurai
Retired Sanitary Inspector
No.225-A, Thirunavukkarasu Nagar,
Vinayagapuram, Attur,
Salem District 636 102

... Petitioner

Vs.

1.P.Mohan, B.Sc.,
The Director of Local Fund Audit
Local Fund Audit Office,
Kuralagam, Chennai – 108.

2.Thiru. N.Kamalanathan, B.E.,
Commissioner-incharge
Namakkal Municipality,
Paramathi Road,
Namakkal.

... Respondents

Prayer : Contempt Petition filed under Section 11 of Contempt of Courts Act, praying to punish the respondents for non implementation of the Order dated 25.11.2013 passed in W.P.No.31841 of 2013 & M.P.No.1 of 2013.

For Petitioner	:	Mr.A.R.Nixon
For Respondents	:	Mr.Vedha Bagath Singh Special Government Pleader [R1] Mr.Raja Mathivanan [R2]



W.P.No.31841 of 2013

R.Chinnadurai
Working as Sanitary Inspector,
Namakkal Municipality,
Namakkal.

... Petitioner

Vs.

1.The Local Fund Audit
Local Fund Audit Office,
Kuralagam, Chennai – 108.

2.The Accountant General
Accountant General Office
Teynampet, Chennai – 600018.

3.The Commissioner,
Namakkal Municipality,
Paramathi Road,
Namakkal.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records relating to the order passed by the third respondent in Na.Ka.No.11739/2013/C1, dated 08.11.2013 and quash the same thereby direct the third respondent to pay the scale of pay based on the basic scale of pay at 25,410/- to the petitioner.

For Petitioner : Mr.A.R.Nixon

For Respondents : Mr.Vedha Bagath Singh
Special Government Pleader [R1]
No appearance for R2
Mr.Raja Mathivanan [R3]



Fund Audit may not be justified in refusing to accept the proceedings of the second respondent dated 17.12.2018, as claimed by the petitioner herein.

4. In the light of the above observation, the Writ Petition stands closed with a direction to the first respondent namely the Director of Local Fund Audit, Chennai, to revise the pay scale from Rs.6,100/- to Rs.6,300/- in accordance with the proceedings dated 17.12.2018 and disburse the arrears of pension and continue to pay pension in accordance with the terms of this order. In view of the order passed in the present Writ Petition, the disobedience alleged in the Contempt Petition may not be termed to be wilful. Accordingly, the Contempt Petition also stands closed. Connected miscellaneous petition is closed.

SD/-

ASSISTANT REGISTRAR(COMM.CASES)

sni

//Certified to be true copy//

Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)

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GS/31/03/2022



To

WEB COPY

- 1.The Director of Local Fund Audit
Local Fund Audit Office,
Kuralagam, Chennai – 108.
- 2.The Commissioner-incharge
Namakkal Municipality,
Paramathi Road,
Namakkal.
- 3.The Accountant General,
Accountant General Office,
Teynampet, Chennai – 600 018.

Copy to:

The Section Officer,
ER Section,
High Court, Madras