



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.03.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

Cont.P.(MD) No.841 of 2021

A.Bose ... Petitioner/Petitioner
-vs-
Dr.V.S.Vasantha, Ph.D.,
The Registrar i/c,
Madurai Kamaraj University,
Palkalai Nagar, Madurai-21. ... Contemnor/Respondent No.2

Prayer:- Petition filed under Section 11 of the Contempt of Courts Act to punish the respondent for the wilful disobedience of the order of this Court in W.P.(MD) No.6520 of 2021 dated 23.03.2021.

Prayer in WP(MD). 6520 of 2021 :

Writ Petition filed under Article 226 of the Constitution of India, to issuance of Writ of Mandamus, directing the respondents to disburse the retirement benefits and pension along with all other consequential benefits to the petitioner within a stipulated period as fixed by this Honble Court.

For Petitioner : Mr.T.Lajapathi Roy
For Respondent : Mr.Ragatheesh Kumar,
for M/s.Isaac Chambers

O R D E R

This Contempt Petition has been filed to punish the respondent for the wilful disobedience of the order of this Court in W.P.(MD) No.6520 of 2021 dated 23.03.2021.

2.This Court is of the considered opinion that contempt proceedings is not akin to that of the execution proceedings. Unless willful and intentional disobedience of the authorities is established, High Court will not be in a position to convict a person under the Contempt of Courts Act. Certain inconvenience or processes undertaken to implement completely will not be a ground to keep the contempt petition pending by treating the contempt proceedings as execution proceedings, which is impermissible.



3.The learned counsel for the contemnors made a submission that the benefits are given partly.

4.This Court is of the opinion that if at all the benefits have been given partly, and if there is any other dispute regarding calculation or eligibility, the petitioner is at liberty to approach the competent authority for redressal of the same. Contrarily, the contempt petition cannot be kept pending unnecessarily, which would cause prejudice to the authorities.

5.Accordingly, this contempt petition stands closed.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

abr

To

Dr.V.S.Vasanth, Ph.D.,
The Registrar i/c,
Madurai Kamaraj University,
Palkalai Nagar, Madurai-21.

+1 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-11422[F]
dated 11/03/2022)

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