



WEB COPY



Contempt Petition No.81 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.04.2023

CORAM

THE HONOURABLE MR.JUSTICE BATTU DEVANAND

Contempt Petition No.81 of 2023

R.Udayakumaran

... Petitioner

Vs.

1.Thiruvarampillai,
Managing Director,
Tamilnadu State Transport Corporation (Kovai) Ltd.,
Erode Region,
Erode.

2.Bhama,
The Administrator,
Tamil Nadu State Transport Employees' Pension Fund Trust,
Thiruvalluvar Illam,
Anna salai,
Chennai – 2.

... Respondents

PRAYER: Contempt Petition is filed under Section 11 of the Contempt of Courts Act, to punish the respondent for willfully disobeying and not complying with the order of this Court dated 01.09.2021 in W.P.No.18343 of 2021.

For Petitioner : Mr.V.Ajoy Khose
For Respondents : Mr.Murali Vinodh, for R1
Standing Counsel
Mr.C.S.K.Sathish, for R2
Standing Counsel



ORDER

WEB COPY This Contempt Petition has been filed complaining wilful disobedience of the order dated 01.09.2021 in W.P.No.18343 of 2021 by the respondents.

2. During the course of hearing, on behalf of the respondents, the counter affidavit has been filed. It is stated in the said counter affidavit that the order of the Court is complied with by issuing a cheque bearing No.819472 dated 23.02.2023 for an amount of Rs.21,889/- for Gratuity interest; another cheque bearing No.814548 dated 23.02.2023 for an amount of Rs.18,924/- for Gratuity interest and another cheque bearing No.980997 dated 28.01.2023 for an amount of Rs.5,897/- for EL Encashment amount. The Corporation had deposited a sum of Rs.5,471/- on 08.12.2021; Rs.5,471/- on 16.06.2022; PF amount deposited on 10.12.2021 for a sum of Rs.4,731/- and Rs.4,731/- on 17.06.2022.

3. In the said counter affidavit, the respondents further submits that the order of the Court is not complied with, within a stipulated time due to the financial crux and exigency prevailing in the Transport Corporation and they could not mobilize funds due to Covid-19



pandemic also, as the buses were not operated and only very few number of buses were operated which met a huge loss to the Corporation.

4. The respondents tendered their unconditional apology for the delay caused in implementing the order of the Court in true letter and spirit.

5. Having considered the facts and circumstances of the case and on consideration of the averments made in the affidavit filed by the respondents, this Court satisfied that the respondents have complied with the order passed by this Court.

6. This Court is also of the opinion that the unconditional apology tendered by the respondents are bonafide and as such, it has to be accepted.

7. For the reason stated above, in my considered view further adjudication in this contempt case is unwarranted.



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8. Accordingly, this Contempt Petition is closed.

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Index :Yes/No

Neutral Citation: Yes/No

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