



CONT.P.No.508 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.02.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

CONT.P.No.508 of 2022

in

W.P.No.11746 of 2014

- 1.R.Panneerselvam
- 2.G.L.Hariharan
- 3.N.Rangasamy
- 4.M.Muthian
- 5.S.K.Gomathinayagam
- 6.S.A.Ramaswamy
- 7.D.Mani
- 8.J.Raghunathan
- 9.N.Annamalai
- 10.P.Mahandaran
- 11.R.Sethuraman
- 12.S.Perumal
- 13.N.Gunasekaran
- 14.R.Sethumadhavan
- 15.C.Govindasamy
- 16.P.Pitchaikani
- 17.J.Sekar



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18.T.Sriramaselvan

19.A.Vaikunta Perumal

20.A.Paramasivam

... Petitioners

Vs.

1.Mr.Hithesh Kumar S.Makwana I.A.S.,
The Principal Secretary,
Housing and Urban Development Department,
Government of Tamil Nadu,
Fort St. George,
Chennai – 600 009.

2.Mr.Shunchonngam Jatak Chiru I.A.S.,
The Managing Director,
Tamil Nadu Housing Board,
Nandanam,
Chennai – 600 035.

... Respondents

Prayer: Contempt Petition has been filed under Section 11 of the Contempt of Courts Act, 1971, to initiate contempt proceedings against the respondent for committing wilful disobedience of the order of this High Court passed in W.P.No.11746 of 2014 dated 03.11.2017.

For Petitioners : Ms.M.N.Sumathy

For R1 : No Appearance

For R2 : Mr.S.Silambanan
Additional Advocate General
Assisted by Mr.D.Veerasekaran
[For TNHB]



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ORDER

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The Contempt Petition filed to punish the respondents for committing wilful disobedience of the order passed by this Court in W.P.No.11746 of 2014 dated 03.11.2017.

2. The learned counsel for the respondents made a submission that the order passed by this Court had been implemented by the Tamil Nadu Housing Board in its proceedings dated 27.01.2023. Accordingly, the Board has taken a decision enabling the petitioners to get the benefit of counting of 50% of the services for their retirement benefit for their non-provincialised service. In this regard, the Financial Advisor was requested to verify the evidences furnished by the pensioners for the purpose of revising their pensions.

3. The learned counsel for the petitioners raised an objection by stating that the monetary benefits are yet to be paid. In this regard, the directions issued by this court is to be taken note of. This Court directed the respondents to reconsider the case of the writ petitioners for counting half of their services rendered on a consolidated pay in accordance with Rule 11 of



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the Tamil Nadu Pension Rules, 1978 and pass appropriate orders within a period of twelve weeks from the date of receipt of a copy of that order.

4. The said order was passed on 03.11.2017 and the contempt petition was filed in the year 2022, after a lapse of about 5 years. However, the respondents, at this length of time has implemented the orders extending the benefit of counting 50% of services to the petitioner subject to verification of the Service Records by the Finance Advisor.

5. Thus, this Court do not find any disobedience or otherwise in respect of the directions issued by this Court. The respondents shall ensure that the orders passed by the Housing Board is implemented by revising the pension by verifying the service records.

6. Accordingly, the Contempt Petition stands closed. No costs.

21.02.2023

Jeni
Index : Yes
Speaking order
Neutral Citation : Yes



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To

WEB COPY

1. The Principal Secretary,
Housing and Urban Development Department,
Government of Tamil Nadu,
Fort St. George,
Chennai – 600 009.
2. The Managing Director,
Tamil Nadu Housing Board,
Nandanam,
Chennai – 600 035.



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S.M.SUBRAMANIAM, J.

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