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Contempt Petition No.1149 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.06.2023

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THE HONOURABLE MR.JUSTICE BATTU DEVANAND

Contempt Petition No.1149 of 2023

M.Mohamed Kasim

... Petitioner

Vs.

P.Thiruvarampillai,
The Managing Director,
Tamil Nadu State Transport Corporation (Kovai) Ltd.,
Erode Region,
Erode

... Respondent

PRAYER: Contempt Petition filed under Section 11 of the Contempt of Courts Act, to punish the respondent for willfully disobeying and not complying with the orders of this Court dated 21.10.2021 in W.P.No.22191 of 2021.

For Petitioner : Mr.V.AjayKhose

For Respondent : Mr.M.Murali Vinodh,
Standing Counsel



ORDER

This Contempt Petition has been filed complaining wilful disobedience of the order dated 21.10.2021 in W.P.No.22191 of 2021 by the respondent.

2. During the course of hearing, on behalf of the respondent, a 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.822627 dated 02.06.2023 for an amount of Rs.48,814/- for gratuity interest amount; another cheque bearing No.822509 dated 02.06.2023 for an amount of Rs.36,895/- for PF interest amount and another cheque bearing No.984857 dated 25.05.2023 for an amount of Rs.2,376/- for EL Encashment interest.

3. In the said counter affidavit, the respondent 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 respondent tendered his unconditional apology for the



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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 respondent, this Court satisfied that the respondent has complied with the order passed by this Court.

6. This Court is also of the opinion that the unconditional apology tendered by the respondent is 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.

8. Accordingly, this Contempt Petition is closed.

15.06.2023

Index :Yes/No

Neutral Citation: Yes/No

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BATTU DEVANAND, J.



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