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Contempt Petition No. 1943 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2023

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

Contempt Petition No. 1943 of 2022

S.Sundarambal

... Petitioner

-VS-

1. K.Karthikeyan,
President,
K.711, Kasipalayam Primary Agricultural Co-operative Society,
Kasipalayam Post,
Gobichettipalayam Taluk,
Erode District – 638 454.

2. K.Rajkumar,
Joint Registrar of Co-operative Societies,
Erode Region,
Erode.

... Respondents

Prayer:- Contempt Petition filed under Section 11 of Contempt of Courts Act, 1971, to punish the Respondents for willfully disobeying the orders passed by this Court dated 25.04.2022 in W.M.P. No. 121 of 2022 in W.P. No. 13628 of 2019.

For Petitioner : Mr. L.P.Shanmugasundaram

For Respondents : Mr. K.V.Sajeevkumar,
Special Government Pleader (for R1)

Mrs. V.Yamunadevi,
Special Government Pleader (for R2)



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ORDER

WEB COPY Heard Mr. L.P.Shanmugasundaram, Learned Counsel for the Petitioner, Mr. K.V.Sajeevkumar, Learned Special Government Pleader appearing for the First Respondent and Mrs. V.Yamunadevi, Learned Special Government Pleader appearing for the Second Respondent and perused the materials placed on record, apart from the pleadings of the parties.

2. This Contempt Petition is prosecuted for failure of the Respondents to comply with the order dated 25.04.2022 in W.M.P. No. 121 of 2022 in W.P. No. 13628 of 2019 passed by the Court.

3. It has been brought to notice by Learned Special Government Pleader appearing for the Second Respondent that the aggregate sum of Rs. 6,08,904/- has been paid in the following installments:-

- (i) Cheque No. 026975 dated 11.07.2022 for Rs. 11,276/-;
- (ii) Cheque No. 026983 dated 10.08.2022 for Rs. 1,00,000/-; and
- (iii) Cheque No. 913351 dated 22.06.2023 for Rs. 4,97,628,

which have been drawn on Erode District Central Co-operative Bank, in full satisfaction of the claim for wages under Section 17-B of the Industrial Disputes Act, 1947, made by the Petitioner till May 2022 when she attained the



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age of superannuation. However, Learned Counsel for the Petitioner submits that there is possibility of errors in the calculations made. In such circumstances, it is made clear that the Petitioner is not precluded from invoking Section 33-C(2) of the Industrial Disputes Act, 1947, by filing necessary application, before the jurisdictional Labour Court for any amount remaining due in that regard and no view has been expressed by this Court on the merits of that controversy involved.

4. In fine, the Contempt Petition is closed with the aforesaid clarifications.

No costs.

23.06.2023

vjt

Index: Yes/No

Neutral Citation: Yes/No

Note: Issue order copy by 30.06.2023.

To

1. The President,
K.711, Kasipalayam Primary Agricultural Co-operative Society,
Kasipalayam Post,
Gobichettipalayam Taluk,
Erode District – 638 454.
2. The Joint Registrar of Co-operative Societies,
Erode Region,
Erode.



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P.D. AUDIKESAVALU, J.

vjt

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