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Contempt Petition No. 2152 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.08.2023

CORAM

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

Contempt Petition No. 2152 of 2022

Five Men Committee,
Tamilnadu State Transport Corporation Employees,
(Villupuram – Division II),
Vellore – 632 009.

... Petitioner

-VS-

Arjunan,
General Manager,
Tamilnadu State Transport Corporation (Villupuram) Ltd.,
Vellore Region,
Rangapuram,
Vellore – 632 009.

... Respondent

Prayer:- Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971, praying to punish the Respondent for having committed contempt by willful disobedience of the order of this Court passed in W.P. No. 5009 of 2022 and W.M.P. No. 5119 of 2022 dated 07.03.2022.

For Petitioner : Mr. S.T.Varadharajulu

For Respondent : Mr. T.Chandrasekaran



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ORDER

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Heard Mr. S.T.Vardarajulu, Learned Counsel for the Petitioner and Mr. T.Chandrasekaran, Learned Counsel for the 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 Respondent to comply with the order dated 07.03.2022 in W.P. No. 5009 of 2022 and W.M.P. No. 5119 of 2022 passed by the Court.

3. It is not in dispute that the payment under Section 17-B of the Industrial Disputes Act, 1947, has been made till July 2023, but the parties are in variance only in respect of the quantum of the last drawn wages. In this regard, Section 17-B of the Industrial Disputes Act, 1947, envisages only last drawn wages and the order dated 07.03.2022 in W.P. No. 5009 of 2022 and W.M.P. No. 5119 of 2022 passed by the Court is also restricted to that extent. In the absence of any documents produced by the Petitioner to the contrary, the last drawn wages as per the records relied by the Respondent has to be accepted. However it would not preclude the Petitioner from claiming any higher amount due in further proceedings, if he is otherwise entitled to receive the same.



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No costs.

31.08.2023

vjt

Index : Yes/No
Neutral Citation Case : Yes/No
Note: Issue order copy by 04.10.2023.

To

The General Manager,
Tamilnadu State Transport Corporation (Villupuram) Ltd.,
Vellore Region,
Rangapuram,
Vellore – 632 009.



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P.D. AUDIKESAVALU, J.

vjt

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