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Cont.P.No.2427 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.11.2023

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

Cont.P.No.2427 of 2023

G.Kothandaraman

...Petitioner

-Vs-

1. Mrs.B.Jothi Nirmalasamy I.A.S.,
Secretary to Government,
Commercial Taxes and Registration Department,
Secretariat, Chennai – 9.

2. Mr.Dinesh Ponraj Oliver, I.A.S.,
Inspector General of Registration,
Santhome High Road,
Chennai – 28.

... Respondents

Prayer : Contempt Petition under Section 11 of the Contempt of Courts Act, 1971 to punish the respondents for their willful disobeying the order of this Court in W.P.No.17663 of 2018, dated 18.08.2022.

For Petitioner : Mr.K.Arumugam

For Respondents : Mr.Vadivelu Dheenadayalan
Additional Government Pleader



Cont.P.No.2427 of 2023

ORDER

This contempt petition has been filed for the alleged disobedience of the orders of this Court dated 18.08.2022 made in W.P.No.17663 of 2018.

2. When this contempt petition came up for hearing on 15.11.2023, this Court passed the following order:

“Mr.M.Murali, learned Government Advocate appearing for the respondents has produced a copy of the Government Order in G.O.(Ms)No.337 Commercial Taxes and Registration Department dated 03.11.2023 and submitted that pursuant to the G.O. now has been issued by the Government, the Deputy Inspector General of Registration concerned has to pass necessary orders to implement the said G.O and for praying the revised pension and pension arrears to the petitioner, for which he seeks two weeks accommodation.

Recording his submission, post the matter on 29.11.2023.”

3. Pursuant to which, when the contempt petition again come up for hearing today Mr.Vadivelu Dheenadayalan, learned Additional Government Pleader has filed a compliance affidavit of the second



Cont.P.No.2427 of 2023

respondent, where *inter alia* he has stated the following:

WEB COPY

“It is submitted that I have great respect and regard for the orders passed by the Hon'ble Court. The orders passed by this Hon'ble Court are complied with.

It is submitted that as per the directions made in the above Court orders, the alleged contemnors have passed orders as follows:

1) The Contempt Petitioner's pay has been fixed in the cadre of District Registrar vide G.O(D)No.337, Commercial Taxes and Registration (H) Department, dated 03.11.2023.

2) Based on the above said order a revised pension proposal has been sent to the Accountant General by the Deputy Inspector General of Registration, Cuddalore vide letter no.3048/A/2023 dated 16.11.2023.

Further it is submitted that the revised pension has to be authorized by the Accountant General and based on the same the above said revised pension and arrears of pension amount will be paid by the concerned treasury to the petitioner's Account.”

4. Relying upon these averments made in the compliance affidavit of the second respondent, learned Additional Government Pleader would contend that pursuant to the G.O issued by the Government revised



Cont.P.No.2427 of 2023

pension proposal has already been sent to the Accountant General by the Deputy Inspector General of Registration, Cuddalore vide letter No.3048/A/2023 dated 16.11.2023 and once it is approved by the Accountant General, the amount would be disbursed to the petitioner.

5. Heard Mr.K.Arumugam, learned counsel appearing for the petitioner, who would submit that the petitioner retired from service in the year 2008, however, the G.O was issued only on 2013, in order to implement the G.O it took one decade, therefore from 2008 till day, the pension arrears as per the revised pension have to be calculated and to be paid, this shall be ensured, he contended.

6. I have considered the submissions made by both sides.

7. Insofar as the revised pension proposal is concerned, that has been forwarded on 16.11.2023, therefore, it is expected that the Accountant General would look into the matter and pass necessary orders of approval for disbursing the pension including the arrears in the revised pension from 2008 till date, that shall also be calculated and be paid to the petitioner within a reasonable time preferably within a period of



Cont.P.No.2427 of 2023

two(2) months from the date of receipt of a copy of this order.

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With this direction, since no more adjudication is required in this contempt petition, it is closed.

29.11.2023

Index : Yes/No
Internet : Yes/No
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Cont.P.No.2427 of 2023

R. SURESH KUMAR, J.

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Cont.P.No.2427 of 2023

29.11.2023