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Contempt Petition No.93 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.04.2023

CORAM

THE HONOURABLE MR.JUSTICE BATTU DEVANAND

Contempt Petition No.93 of 2023

K.Dhayanithi

... Petitioner

Vs.

1.Ponmudi,
The Managing Director,
Tamil Nadu State Transport Corporation (Salem) Ltd.,
Ramakrishna Salai,
Salem – 636 007.

2.Bhama,
The Administrator,
Tamil Nadu State Transport Corporation
Employees' Pension Fund Trust,
Thiruvalluvar House, Pallavan Salai,
Chennai – 600 002.

... Respondents

PRAYER: Contempt Petition is filed under Section 11 of the Contempt of Courts Act, to punish the respondents for willful disobedience of the order passed by this Court in W.P.No.19885 of 2021 dated 20.09.2021 as per the Contempt of Court Act.

For Petitioner	: Mr.N.Desinguhu J. Pradeep
For Respondent	: Mr.K.Raja, Standing Counsel Mr.C.S.K.Sathish, for R2 Standing Counsel



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ORDER

This Contempt Petition has been filed complaining wilful disobedience of the order dated 20.09.2021 in W.P.No.19885 of 2021 by the respondent.

2. During the course of hearing, on behalf of the respondent, the counter affidavit has been filed. It is stated in the said counter affidavit that the order of the Court is complied with. The payments to be made to the petitioner in compliance of the order are made on different dates and finally, on 28.01.2023, they made entire payment to the petitioner.

3. Learned counsel for the petitioner also accepted the same.

4. In the said counter affidavit, the respondents 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.

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5. The respondents tendered their unconditional apology for the delay caused in implementing the order of the Court in true letter and spirit.

6. Having considered the facts and circumstances of the case and on consideration of the averments made in the affidavit filed by the respondents, this Court satisfied that the respondents have complied with the order passed by this Court.

7. This Court is also of the opinion that the unconditional apology tendered by the respondents are bonafide and as such, it has to be accepted.

8. For the reason stated above, in my considered view further adjudication in this contempt case is unwarranted.



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BATTU DEVANAND,J.

9. Accordingly, this Contempt Petition is closed.

27.04.2023

Index :Yes/No

Neutral Citation: Yes/No

AT

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