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Contempt Petition No.2882 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.06.2023

CORAM

THE HONOURABLE MR.JUSTICE BATTU DEVANAND

Contempt Petition No.2882 of 2022

Edwin Lazer Dcruze

... 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 Post Retirement Welfare Fund Scheme,
Thiruvalluvar House, Pallavan Salai,
Chennai – 600 002.

... Respondent

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.6955 of 2021 dated 02.02.2022 as per the Contempt of Court Act.

For Petitioner	: Mr.N.Desinghu
For Respondents	: Mr.K.Raja, for R1
	Standing Counsel
	Mr.C.S.K.Sathish, for R2
	Standing Counsel



Contempt Petition No.2882 of 2022

ORDER

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This Contempt Petition has been filed complaining wilful disobedience of the order dated 02.02.2022 in W.P.No.6955 of 2021 by the respondents.

2. During the course of hearing, on behalf of the respondents, the counter affidavits have been filed. It is stated in the said counter affidavit that the order of the Court is complied with. In compliance to the order of this Court, payments were made to the petitioner on different dates and last payment was made on 27.01.2023.

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.



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4. The respondents tendered their unconditional apology for the 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 respondents, this Court satisfied that the respondents have complied with the order passed by this Court.

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



WEB COPY



Contempt Petition No.2882 of 2022

BATTU DEVANAND,J.

8. Accordingly, this Contempt Petition is closed.

08.06.2023

Index :Yes/No

Neutral Citation: Yes/No

AT

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