



CONT.P(MD)No.1174 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.06.2023

CORAM

THE HONOURABLE MRS.JUSTICE **S.SRIMATHY**

CONT P(MD)No.1174 of 2023

In

W.P.(MD)No. 15392 of 2017

A. Delphine

... Petitioner

- Vs. -

Rev.Fr.R.Jesudass, Director,
The Tamil Nadu Social Service Society,
No.35B, Marsingpet Road,
Tiruchirappalli – 620 001.

... Respondent

Prayer : Contempt Petition filed under Section 11 of the Contempt of Courts Act, to punish the Contemnor /respondent for contempt for willfully disobeying the order of this Court in W.P.(MD).No.15392 of 2017 dated 03.03.2023.

For Petitioner : A. Delphine
[Party in Person]



CONT.P(MD)No.1174 of 2023

WEB COPY

ORDER

Today, when the matter is taken up for hearing the Party in Person has appeared before this Court.

2. The contention of the petitioner is that the claim in the writ petition, suit and other petitions before the various Courts / Forums is to grant reinstatement, continuity of service with backwages.

3. This Court after elaborately considering the claim of the petitioner, declined reinstatement. In lieu of the same directed the respondents to pay lump sum compensation and the amount was quantified as Rs.15 lakhs with interest. The petitioner has also submitted that the amount was paid on 09.05.2023.

4. By relying on the discussion portion of the order, the petitioner has misconstrued the order. The petitioner is reading the order truncated and has relied on the discussion portion and claiming reinstatement.



CONT.P(MD)No.1174 of 2023

WEB COPY

5. This Court has categorically stated that the petitioner is not entitled to reinstatement and continuity of service. Since the petitioner is entitled to some relief, this Court has granted compensation alone. Therefore, there is no contempt at all.

6. However, the petitioner submitted that the respondents have not paid EPF. The petitioner had circulated a calculation sheet, after deducing the staff loan she is entitled to Rs.35,442/-, which is the petitioner's contribution. The equal amount will be contributed by the respondents. This is a separate cause of action, hence the petitioner is directed to submit a representation to the respondents. The respondents shall pass orders in accordance with law.

7. Accordingly, this Contempt Petition is closed.

30.06.2023

Index : Yes / No

Internet : Yes

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CONT.P(MD)No.1174 of 2023

S.SRIMATHY, J,

ksa

CONT. P(MD)No.1174 of 2023

30.06.2023