

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Contempt Jurisdiction

Friday, the Twenty Fourth day of February Two Thousand and Twenty
Three

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

SUB A(MD) . No.46 of 2023
in
Cont.P(MD)No.55 of 2022

S.Shanmugam,

... Petitioner

Vs

1 . Thiruvallampillai,
The Managing Director Tamil Nadu State
Transport Corporation (Madurai) Ltd.
Madurai Region Bye Pass Road Madurai.

2 . Elangovan,
The General Manager Tamil Nadu State
Transport Corporation (Madurai) Ltd.
Madurai Region Bye Pass Road Madurai.

... Respondents

Prayer in sub.A(MD) No.46 of 2023

To Reopen the Cont.P.(MD).No.55/2022 in W.P.(MD).No.7794
of 2021 on file of this Honourable Court closed on 27.04.2022 and
thus render justice.

Prayer in Con.P(MD)NNo.55 of 2022

Contempt Petition filed under Section 11 of the Contempt of
Courts Act,1971 to punish the contemnor/respondent for wilfully
disobeying and non complying with the order of this court dated
29.04.2021 in W.P.(MD)No.7794 of 2021.

Prayer in WP(MD)No.7794 of 2021

Writ Petition is filed under Article 226 of the Constitution
of India,praying this court to issue a writ of Mandamus directing
the 1st respondent to sanction the petitioner salary for a period of
33 months with reasonable rate of interest and retirement benefits
more particularly monthly pension payable to the petitioner from the
date of the petitioners superannuation based on the petitioners
representation dt.13.01.2021 within a time frame as may be fixed by
this Hon!ble court and pass such furthe or other orders as this
Honble court

ORDER:- This Sub Application coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.C.M.Xavier Advocate for the petitioner and of Mr.S.C.Herold Singh Advocate for the respondents, this Court made the following order:

This Court vide order, dated 29.04.2021 in W.P(MD)No.7794 of 2021, issued a direction to the respondents to consider the representation of the petitioner, dated 13.01.2021 and pass appropriate orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of the order.

2. Alleging non-compliance of the order, dated 13.01.2021, the petitioner has filed a contempt petition in Cont.P(MD)No.55 of 2022. The said contempt petition was closed on the ground that the respondents filed a writ appeal in W.A(MD)No.392 of 2022 and the same is pending. However, subsequently, the writ appeal was disposed of, even then, the order of this Court was not implemented and hence, the petitioner has filed this Sub-Application to re-open the contempt petition.

3. When the matter is taken up for hearing today, the learned counsel appearing for the petitioner, would submit that pursuant to the order passed by this Court, the petitioner's representation was considered and appropriate order was passed on 24.02.2023.

4. In view of the same, there is no willful disobedience and hence, this Sub-Application is closed.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/03/2023

Sub Assistant Registrar(CS)

TO

1 . Thiruvallampillai,
The Managing Director Tamil Nadu State
Transport Corporation (Madurai) Ltd.
Madurai Region Bye Pass Road Madurai.

2 . Elangovan,
The General Manager Tamil Nadu State
Transport Corporation (Madurai) Ltd.
Madurai Region Bye Pass Road Madurai.

+1CC to M/s.S.C.Herold Singh, Advocate (SR.No.11068)

ORDER DATED : 24/02/2023

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ORDER

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SUB A(MD) . No.46 of 2023

in

Cont.P(MD)No.55 of 2022

Giving direction and etc.
as stated within.

MGJ(16.03.2023) 3P 4C