



Contempt Petition No. 1424 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **22.11.2024**

CORAM

THE HONOURABLE MS. JUSTICE R.N.MANJULA

Contempt Petition No. 1424 of 2024

R.Usha

... Petitioner

Vs.

1. Dr.J.Radhakrishnan, I.A.S.
The Commissioner
Greater Chennai Corporation
Rippon Building, Chennai-3.

2. Selvi.Umamaheswari Ramachandran,
Assistant Commissioner
GA & P Department
Greater Chennai Corporation
Rippon Building, Chennai-3.

... Respondents

PRAYER: Contempt Petition filed under Section 11 of the Contempt of Courts Act to punish the respondent for willful disobedience of the order dated 30.10.2023 passed in W.P. No. 9240 of 2020.

For Petitioner : Mr. N.Subramaniyan

For Respondent : Mr. J.Ravindran, AAG



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Asst. by D.B.R.Prabhu, Standing Counsel

ORDER

This contempt petition has been filed consequent to an order of this Court dated 30.10.2023 in W.P. No. 9240 of 2020.

2. The order has been partially complied, the only point of difference of the petitioner as well as the respondents is that the interest of 6% has been paid as against the pension arrears and not against the whole of computation pension of Rs.5,27,373/-.

3. The learned counsel appearing for the respondents submitted that the petitioner had given option for computation pension on 24.07.2023. Hence, she is not entitled to get the interest from the date of her retirement as claimed by the petitioner.

4. It is to be noted that the petitioner was not allowed to retire from service on 31.03.2020 and she got the order of retirement consequent to the orders passed by this Court on 30.10.2023. As she had given the



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proposal only on 24.07.2023, the local fund Audit has given authorization for commutation only on 19.09.2023. The petitioner waited for orders of this Court to give her option for pension and she should have given consequent to 30.10.2023. The petitioner could have given her option on 24.07.2023 respective of the result of the order. If the petitioner was vigilant enough to give the proposal at the earliest point of time, or atleast immediately after her retirement. Now she can blame the respondent to award interest from the date of her retirement till the date of her settlement. Since she herself has opted to get commutation till 24.07.2023 the respondent cannot be compelled to pay interest from the date of retirement. Hence, the order is complied with as per directions.

5. Accordingly, the contempt is closed. To be noted that the petitioner is receiving full pension. If she is still aggrieved with the order of denying interest then that will arise some other cause of action to be contested by filing a fresh writ petition. No costs.

22.11.2024

Index :Yes/No
Maya

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To

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The Commissioner
Greater Chennai Corporation
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2. Selvi.Umamaheswari Ramachandran,
Assistant Commissioner
GA & P Department
Greater Chennai Corporation
Rippon Building, Chennai-3.



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R.N.MANJULA

Maya

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