



Cont.P.No.1777 of 2024

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 20.09.2024**

**CORAM :**

**THE HONOURABLE MR.JUSTICE M.S.RAMESH**

**Cont.P.No.1777 of 2024**

M.Pannirselvam

... Petitioner

**Vs**

Dr.M.Jayanthi,  
The Chair Person,  
Tamil Nadu Pollution Control Board,  
76, Mount Anna Salai,  
Chennai – 600 032.

... Respondent

**PRAYER :** Contempt Petition filed under Section 11 of Contempt of Courts Act, 1971 praying to punish the Respondent for the willful disobedience of the Order of this Court passed in W.P.No.35745 of 2023 dated 21.12.2023 under the provisions of Contempt of Courts Act.

For Petitioner : Mr.K.V.Shanmuganathan  
For Respondent : Mr.Vijayakumar Natarajan

**ORDER**

The order of the writ Court in W.P.No.35745 of 2023 dated 21.12.2023 was a direction to the respondent to consider the petitioner's representation dated 25.09.2023 wherein, the petitioner has sought for



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settlement of his terminal benefits. Alleging non compliance of the order, the present contempt petition has been filed.

2. The learned counsel for the petitioner would submit that though the respondent has settled the terminal benefits, the encashment of leave and leave on private affairs, have not been disbursed to him as such, the order of the writ Court has not been obeyed.

3. *Per contra*, the learned Standing Counsel for the Tamil Nadu Pollution Control Board would submit that as per the clarification of the Government, in view of Rule 86 of the Fundamental Rules, the petitioner who was not permitted to retire from service owing to the pendency of the disciplinary proceedings would not be entitled for the benefit of encashment of leave and leave on private affairs, until the regulation of his suspension period.

4. When the order of the writ Court was only a direction to the respondent to consider the petitioner's representation, denial of certain



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benefits as stated above may not amount to disobedience. As such, there is no wilful disobedience of the orders passed in the writ petition and accordingly, the Contempt Petition stands closed with liberty to the petitioner to challenge the rejection order in accordance with law.

**20.09.2024**

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Index: Yes/No  
Speaking/Non-speaking Order  
Neutral Citation: Yes/No

To

Dr.M.Jayanthi,  
The Chair Person,  
Tamil Nadu Pollution Control Board,  
76, Mount Anna Salai,  
Chennai – 600 032.



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**M.S.RAMESH, J.**

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