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Cont.P.No.1802 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.01.2024

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Cont.P.No.1802 of 2023

A.Shafi

... Petitioner

Vs.

1. Mr.Raj Mohan
Managing Director,
Tamil Nadu State Transport Corporation
(Villupuram) Ltd, Villupuram - 605 602.

2. Mr.Arjunan
The General Manager,
Tamil Nadu State Transport Corporation
(Villupuram) Ltd.,
Villupuram - 605 602.

.. Respondents

PRAYER : The Contempt Petition filed under Section 11 of the Contempt of Courts Act to punish the respondents for wilful disobedience of the order of this Hon'ble Court in W.P.No.3086 of 2023 dated 03.02.2023.

For Petitioner	: Mr.V.Vijayashankar
For Respondents	: Mr.M.Aswin Standing Counsel

ORDER



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This Contempt petition has been filed to punish the respondent for his wilful disobedience of the order passed by this Court in Crl.OP No.3086 of 2023 dated 03.02.2023.

2. When the matter was came up for hearing on 08.09.2023, this Court passed the following order:

"Pursuant to the earlier order passed by this Court on 11.08.2023, the matter is posted for hearing today.

2. Learned Standing counsel appearing on behalf of the Transport Corporation submitted that the petitioner has been provided with an alternative work from 25.08.2023 to 24.11.2023 and the relevant proceedings dated 22.08.2023 was placed before this Court.

3. When this Court passed the interim order on 03.02.2023, this Court took into consideration the physical disability faced by the petitioner and directed the Corporation to provide an alternative employment till the Special Cell examines the petitioner and gives its report. The petitioner was provided with an alternative employment from March, 2023 to May, 2023 and the salary was also paid to the petitioner. Thereafter, the



petitioner has been abruptly stopped form work and as a result, from June, 2023 no salary has been paid to the petitioner. It is the mistake of the Corporation in not providing the alternative work to the petitioner from June, 2023 and that does not justify Corporation from stopping payment of salary to the petitioner to which he is legally entitled to. Hence, there shall be a direction to the respondents to pay the salary of the petitioner from 10.05.2023 to 24.08.2023 before the next date of hearing. That apart, the petitioner has to be accommodated in a permanent work and he should not be provided with work for limited period as if he is a temporary employee. The respondents shall issue a notice to the petitioner and fix a date for his appearance before the Special Cell and the petitioner shall appear and a report shall be prepared and placed before the respondent Corporation. The said report will ultimately decide the nature of work that has to be provided to the petitioner going forward.

4. Post this case under the same caption on 29.09.2023."

3. When the matter was taken up for hearing, it is brought to the



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notice of this Court that the petitioner has been accommodated in a permanent work and he has also been paid the salary. In view of the same, the interim order passed by this Court has been complied with.

4. The learned counsel for the petitioner submitted that the petitioner has suffered seizure and he was not able to attend the work for some time. Hence, the petitioner made a representation to the respondents on 22.11.2023 to accommodate the petitioner in some other post.

5. Considering the limited scope of the contempt petition, it would suffice if a direction is issued to the 1st respondent to deal with the request made by the petitioner and to take a decision and communicate the same to the petitioner within a period of two weeks from the date of receipt of a copy of this order.

6. This Contempt Petition is disposed of with the above terms.

Index : Yes/No
Internet : Yes/No

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N.ANAND VENKATESH, J.

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