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Contempt Pet. No.392 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.11.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

AND

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

Contempt Petition No.392 of 2024

G. Rajaguru

Tradesman Staff No.T25002

S/o.G.Prabhakaran

No.31, 3rd Block, Mugappair West,

Chennai 600 037.

... Petitioner

Versus

1. Dr.Alby John Varghese, I.A.S.

Managing Director,

Metropolitan Transport Corporation

(Chennai) Ltd.,

Anna Salai, Chennai 600 002.

2. Mr.L.Ramesh,

Special Deputy Commissioner of Labour,

D.M.S.Complex, IV Floor,

Teynampet, Chennai 600 006.

... Respondents

PRAYER: Petition filed under Section 11 of the Contempt of Courts Act,

1971, to punish the respondents for willfully disobeying the orders passed in

W.A. No.421 of 2023 dated 28.04.2023.



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For Petitioner : Mr.T.Kumara Vijayan

For Respondents : Mr.C.Gowthamaraj

ORDER

(Order of the Court was delivered by R.SUBRAMANIAN, J.)

By order dated 28.04.2023, a Division Bench of this Court had modified the punishment and directed the employee to be treated as compulsorily retired. The Management was also directed to settle the terminal benefits for the actual services rendered by the employee between 07.05.1994 and 01.08.2014. It is not in dispute that the Corporation had calculated the terminal benefits as per the direction of the Division Bench and the same has also been paid to the petitioner in the Contempt Petition.

2. The learned counsel appearing for the petitioner would however contend that the direction of the Bench has not been complied with in full, inasmuch as the period of leave on loss of pay was not taken into account. Whether the period of leave on loss of pay should be taken into account or not is completely a different question and the same cannot be



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gone into in the contempt proceedings. Hence leaving it open to the petitioner to challenge the working sheet or the basis on which the Corporation has arrived at the terminal benefits, the contempt petition is closed.

(R.SUBRAMANIAN, J.) (C.KUMARAPPAN, J.)
14.11.2024

jv

Index: No
Internet: Yes
Speaking order
Neutral Citation: No



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R.SUBRAMANIAN, J.

and

C.KUMARAPPAN, J.

(jv)

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