



Cont P(MD).No.744 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.06.2024

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THE HONOURABLE MS JUSTICE R.N.MANJULA

Cont P(MD).No.744 of 2024

in

Cont P(MD).No.1953 of 2023

in

W.P.(MD).No.7488 of 2022

N.Murugesan

...Petitioner

Vs.

T.R.Chandra,
The Superintending Engineer,
Madurai Electricity Distribution Circle (Metro),
TANGEDCO,
K.Pudur,
Madurai District-625 007.

...Respondent

PRAYER: Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971 to initiate contempt proceedings against the contemnor / respondent and punish her for the willful disobedience of the order of this Court in Cont.P.(MD).No.1953 of 2023 in W.P.(MD).No. 7488 of 2022 dated 08.12.2023.

For Petitioner : Mr.I.Pinaygash

For Respondent : Mr.B.Ramanathan,
Standing Counsel



Cont P(MD).No.744 of 2024

WEB COPY

ORDER

This Contempt Petition has been filed to initiate contempt proceedings against the contemnor / respondent and punish him for the willful disobedience of the order of this Court in Cont.P.(MD).No.1953 of 2023 in W.P.(MD).No.7488 of 2022 dated 08.12.2023.

2. The only objection raised by the respondent is that in pursuant to the Government Order in G.O.(Ms).No.12, Personnel and Administrative Reforms (FR.II) Department, dated 08.02.2021, the encashment of surrender of earned leave benefit has been suspended with effect from 27.04.2020 for a period of one year. Subsequently, another Government Order in G.O.(Ms).No.142, Human Resources Management (FR.II) Department, dated 10.12.2021, was issued by the Government stating that the surrender of earned leave has been suspended from one year to two years i.e., till 31st March 2022. After expiry of the above period, an another Government Order in G.O.(Ms).No.36, Human Resources Management (FR-III) Department, dated 11.04.2022, was issued stating that the surrender of earned leave has been suspended until further

2/5



Cont P(MD).No.744 of 2024

orders. However, in the order in W.P.(MD).No.7488 of 2022, it has been stated that the petitioner shall be considered for settlement for other benefits, if he is otherwise eligible in accordance with the rules in force. Since the petitioner's surrender leave benefits pertaining to the duty period from 20.12.2012 to 28.11.2022 has not been granted, he has initiated these contempt proceedings.

3. Since the surrender of earned leave has been suspended only with effect from 27.04.2020, the petitioner is entitled for surrendering the earned leave benefits for the period prior to the cut off date.

4. Mr.B.Ramanathan, learned Standing Counsel submitted that the clarification has been sought for in this regard from the Government. Since the order of the Court is clear about the period for which the petitioner is entitled to get the benefits, the eligibility criteria has to be appreciated only in terms of the Government orders wherein it is exclusively mentioned about the cut off date.



Cont P(MD).No.744 of 2024

WEB COPY

5. In view of the above, the Contempt Petition stands **closed** and the respondent is directed to comply with the orders already given by this Court.

6. Registry is directed to post the matter under the caption “**For Reporting Compliance**” within a period of three weeks from today.

25.06.2024

NCC : Yes / No
Index : Yes/No
Internet : Yes/No
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Cont P(MD).No.744 of 2024

R.N.MANJULA,J.

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Cont.P.(MD).No.744 of 2024
in
Cont P(MD).No.1953 of 2023
in
W.P.(MD).No.7488 of 2022

25.06.2024