



WEB COPY



Cont.P.No.2346 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.08.2025

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THE HONOURABLE Mr. JUSTICE **G.K.ILANTHIRAIYAN**

Cont.P.No.2346 of 2025

Thomas Dawson David

... Petitioner

Vs.

Admiral Dines K.Tripathi,
Chief of Naval Staff,
Integrated Head Quarter,
Ministry of Defence,
New Delhi.

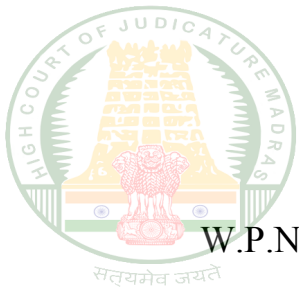
... Respondent

Prayer:- Contempt petition has been filed under Section 11 of the Contempt of Courts Act, 1971, praying to punish the respondent for his wilfully disobeying the order of Court dated 01.07.2024 in W.P.No.17138 of 2024.

For Petitioner : Mr.R.Ravindraram
For Respondent : Mr.AR.L.Sundaresan
Additional Solicitor General of India
Assisted by Mr.AR.Sakthivel
Central Government Standing Counsel

ORDER

This Contempt Petition has been filed to punish the respondent for non compliance of the order dated 01.07.2024, passed by this Court in



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W.P.No.17138 of 2024, thereby directed the respondent to consider the representation of the petitioner dated 25.11.2021 in view of the order passed in W.P.No.38085 of 2016 dated 24.04.2018, after issuance of notice to the petitioner and counter parties, if any, and after giving opportunity of hearing to them, pass orders on merits and in accordance with law, within a period of six weeks.

2. The learned Additional Solicitor General of India appearing for the respondent submitted that the petitioner submitted representation in view of the order passed in W.P.No.38085 of 2016 dated 24.04.2018, thereby ordered that the petitioner would be entitled for grant of pension, taking into consideration Navy Regulation 95 of 1964. Accordingly, the respondent was directed to work out the qualified service based on the retirement of the petitioner and shortfall, if any, which may be meager, may be condoned for the purpose of grant of pension. As directed by this Court, the petitioner submitted representation on 25.11.2021. In the mean while, the order passed by this Court in W.P.No.38085 of 2016 dated 24.04.2018 was challenged before this Court in W.A.No.2277 of 2021 and the Hon'ble Division Bench of



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this Court, by the judgment dated 09.09.2021, set aside the order passed in W.P.No.38085 of 2016 dated 24.04.2018 and also granted an opportunity to the petitioner to approach the Armed Forces Tribunal for any relief pertaining to his service condition in the Navy. The said writ appeal was allowed after hearing the argument of the petitioner therein through his counsel Mr.S.A.Sarangapani. Suppressing the said fact, the petitioner filed the present writ petition in W.P.No.17138 of 2024 for directions and this Court, without expressing any opinion on the merits of the writ petition, directed the respondent to consider the petitioner's representation dated 25.11.2021.

3. He further submitted that the representation submitted by the petitioner dated 25.11.2021 was also rejected by an order dated 10.12.2021 itself, on the ground that the date of enrolment and discharge from the Indian Navy was prior to 03.07.1976, the GOL order dated 18.11.2020 does not apply to the case of the petitioner. Therefore, the petitioner is not eligible any type of pension from the Indian Navy. Suppressing these facts, the petitioner filed this Contempt petition to punish the respondent for disobedience of the order passed by this Court.



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WEB COPY 4. Considering the above submissions, the respondent did not commit any contempt by disobeying the order passed by this Court and no contempt is made out as against the respondent. Accordingly, the Contempt Petition stands dismissed

20.08.2025

Index : Yes/No
Neutral Citation : Yes/No
Speaking/Non Speaking order

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WEB COPY To

1. The Chief of Naval Staff,
Integrated Head Quarter,
Ministry of Defence,
New Delhi.



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G.K.ILANTHIRAIYAN, J.

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