



WEB COPY



Cont.P.No.3334 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.11.2025

PRESENT:

THE HONOURABLE DR. JUSTICE A.D. MARIA CLETE

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C.Subramanian,
Driver DR 6077,
S/o.Chinnathambi,
5 Ward, Perumal Koil,
Mettupatty Post,
Omalur Taluk, Salem 636 455.

....Petitioner

Vs.

Thiru V.Gunasekaran,
Managing Director,
Tamil Nadu State Transport Corporation,
(Salem) Limited,
Dharmapuri Division,
Divisional Office, Bharathipuram,
Dharmapuri – 636 705.

...Respondent

PRAYER:

Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971 (Central Act 70 of 1971) praying to punish the respondent herein for disobeying the order passed by this Court dated 20.03.2025 in W.P.No.19503 of 2020 and pass such other order or direction as this Court may deem fit and proper in the circumstances of the case and thus render justice.



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APPEARANCE:

For Petitioner : Mr.K.M.Ramesh,Senior Counsel.

For Respondent : Mr. K. Raja, TNSTC (Salem),
Standing Counsel.

J U D G M E N T

Heard. The petition alleges wilful disobedience of the order dated 20.03.2025 in W.P. No. 19503 of 2020.

2.The underlying dispute arises from an order of reinstatement passed by the Labour Court which, on challenge, stood confirmed/modified by this Court. The present grievance, in substance, is to secure implementation of the order passed by this Court.

3.The settled position is that when this Court confirms or modifies an award of the Labour Court, it yet remains an award of the Labour Court as so modified. Non-implementation of such award does not, by itself, found contempt; the appropriate remedy is execution under the Industrial Disputes Act before the



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jurisdictional Labour Court. Contempt is not a substitute for execution and the

said position was settled in the Judgment of the Division Bench of this Court in

R. Gopala Krishnan v. Management of Binny Ltd., Chennai, [2001 (4) LLN 854].

4. Contempt lies only upon intentional disobedience of a clear, specific and mandatory judicial command by a person having notice and capacity to comply. The order dated 20.03.2025 recorded that the Corporation should determine the appropriate relief within a time frame. That process-direction cannot be employed to convert contempt jurisdiction into an executing forum or to adjudicate the merits of implementation.

5. On these premises, the petition, framed as a contempt action to secure the fruits of the Labour Court award, is not maintainable.

6. Accordingly, the Contempt Petition is dismissed as not maintainable, leaving it open to the petitioner to work out execution before the jurisdictional Labour Court or avail of any other remedy in law, as advised. No opinion is



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expressed on the merits of the award or on any claim to monetary/service benefits. Consequently, connected miscellaneous petitions, if any, stand closed.

No costs.

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ay

NCC : Yes / No

Index : Yes / No

Speaking Order / Non-speaking Order



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DR. A.D. MARIA CLETE, J

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