



CONT.P(MD)No.1035 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.07.2025

CORAM

THE HONOURABLE MR.JUSTICE **SHAMIM AHMED**

CONT.P(MD) No.1035 of 2024

in

W.P.(MD) No.15538 of 2012

K.Asokan,
S/o.Karuppiah Thevar (Late),
No.222, Parvathi Street,
Nataraj Nagar, Opp to Fenner India Limited,
Madurai 625 016.

... Petitioner

vs.

Thiru.Arumugam,
Managing Director,
Tamil Nadu State Transport Corporation,
(Madurai) Limited,
Bye Pass Road,
Madurai 625 016.

... Respondent

PRAYER: Contempt Petition filed under Section 11 of the Contempt of Court to punish the contemnor/respondent for his wilful disobedience of the order passed by this Court in W.P.(MD) No.15538 of 2012, dated 14.11.2014.

For Petitioner :Mr.A.K.Thangavelu

For Respondent :Mr.S.Ramachandra Pradeep
Standing Counsel



CONT.P(MD)No.1035 of 2024

WEB COPY

ORDER

This Contempt Petition has been filed with the prayer that the respondent/contemnor has not complied with the judgment and order passed by this Court in W.P.(MD) No.15538 of 2012, dated 14.11.2014.

2.Heard Mr.A.K.Thangavelu, learned counsel for the petitioner and Mr.S.Ramachandra Pradeep, learned standing counsel for the Respondent.

3.The Co-ordinate Bench of this Court in W.P.(MD) Nos.7903 and 15538 of 2012, vide order dated 14.11.2014, had passed the following common order:-

“ 5.In the result, both the writ petitions stand allowed by setting aside the impugned orders with further direction issued to the respondents to sanction annual increment due to the petitioners for the period in question with consequential monetary benefits. The above exercise shall be completed within eight weeks from the date of receipt of a copy of this order. No costs.”

4.The learned counsel for the petitioner submits that challenging the judgment and order passed in W.P.(MD) No.15538 of 2012, dated 14.11.2014, the respondent has preferred an appeal in W.A.(MD) No.1247 of 2019, before this Court, which was dismissed by the Hon'ble Division Bench of this Court, vide judgment and order, dated 07.11.2019.



CONT.P(MD)No.1035 of 2024

WEB COPY

5.Thus, the learned counsel for the petitioner submits that in spite of the dismissal of the Writ Appeal, the respondent has not complied with the directions issued by this Court in W.P.(MD) No.15538 of 2012, dated 14.11.2014. Thus, being no other alternative, the present Contempt Petition has been filed with the prayer that the respondent/contemnor has wilfully and deliberately flouted the order passed by this Court and is in contempt of the judgment and order of this Court dated 14.11.2014. Thus, he should be summoned and punished by exercising the powers under Sections 11 and 12 of the Contempt of Courts Act, 1971.

6.Today, when the matter is taken up, Mr.S.Ramachandra Pradeep, learned standing counsel for the respondent, has produced an affidavit of compliance of the respondent, in which it has been stated in paragraph No.5 that the judgment and order passed by this Court in W.P.(MD) No.15538 of 2012, dated 14.11.2014 has been fully complied with. The compliance affidavit filed by the respondents is taken on record and a copy of the same has also been given to the learned counsel for the petitioner.

7.The learned standing counsel further submits that the respondent has already settled an amount of Rs.14,012/-, Rs.9,277/- and Rs.74,885/- towards difference of gratuity, difference of leave salary and difference of



CONT.P(MD)No.1035 of 2024

pension arrears respectfully to the petitioner and no amount is due to the petitioner. Thus, he submits that the respondent may be discharged from the present contempt proceedings, as the judgment and order of this Court dated 14.11.2014 has been fully complied with by the respondent.

8.Mr.A.K.Thangavelu, learned counsel for the petitioner submits that he has received a copy of the compliance affidavit of the respondent and submits that the respondent has made full compliance of the judgment and order passed by this Court in W.P.(MD) No.15538 of 2012, dated 14.11.2014.

9.He further submits that the petitioner has already been settled an amount of Rs.14,012/-, Rs.9,277/- and Rs.74,885/- towards difference of gratuity, difference of leave salary and difference of pension arrears respectfully to the petitioner and no amount is due to the petitioner. Thus, he submits that he has no objection, if the respondent is discharged from the present contempt proceedings, as the judgment and order of this Court dated 14.11.2014 has been fully complied with by the respondent and the present Contempt Petition may also be disposed of.

10.Accordingly, in view of the submissions made by the learned counsel for the parties, after perusal of the judgment and order passed in W.P.(MD) No.15538 of 2012, dated 14.11.2014 and in W.A.(MD) No.1247 of



CONT.P(MD)No.1035 of 2024

2019, dated 07.11.2019 and after perusal of the compliance affidavit filed by the respondent, this Court satisfied that the direction issued by this Court in W.P.(MD) No.15538 of 2012, dated 14.11.2014 and in W.A.(MD) No.1247 of 2019, dated 07.11.2019 has been fully complied with by the respondent and there is no justification in continuing the present contempt proceedings against the respondent.

11.Accordingly, the Contempt Petition is finally disposed of and the respondent is discharged from the present contempt proceedings. The file is consigned to record. No costs.

Index :Yes / No
Internet :Yes / No
mm

02.07.2025

To

Managing Director,
Tamil Nadu State Transport Corporation,
(Madurai) Limited,
Bye Pass Road,
Madurai 625 016.



WEB COPY



CONT.P(MD)No.1035 of 2024

SHAMIM AHMED, J.

mm

CONT.P(MD) No.1035 of 2024

02.07.2025