



CONT.P(MD)No.1838 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.06.2025

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THE HONOURABLE MR.JUSTICE **SHAMIM AHMED**

CONT.P(MD) No.1838 of 2024

in

W.P.(MD) No.12839 of 2021

A.Shanmugasundaram

... Petitioner

vs.

E.Elangovan,
The Managing Director,
The State Express Transport
Corporation (Tamil Nadu) Ltd.,
Pallavan Salai,
Chennai -02.

... Respondent

PRAYER: Contempt Petition filed under Section 11 of the Contempt of Court to initiate contempt proceedings against the contemnor/respondent and punish him for the wilful disobedience of the order of this Court in W.P.(MD) No.12839 of 2021, dated 29.07.2021.

For Petitioner :Ms.R.Hema Bharathi

For Respondent :Mr.S.C.Herold Singh
Standing Counsel

ORDER

This Contempt Petition has been filed to punish the contemnor/respondent for wilfully disobeying and not complying with the order of this Court passed in W.P(MD) No.12839 of 2021, dated 29.07.2021.



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2. Heard Ms.R.Hema Bharathi, learned counsel for the petitioner and

Mr.S.C.Herold Singh, learned Standing Counsel for the respondent.

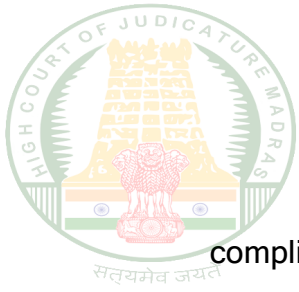
3. The short facts of case, led to filing of the Writ Petition bearing W.P. (MD) No.12839 of 2021, are as follows:-

The petitioner is a retired employee of the respondent Transport Corporation. The petitioner retired from service on 30.11.2019. The respondent has settled the retirement benefits to the petitioner belatedly. Hence, the petitioner has filed the aforesaid writ petition seeking for a Writ of Mandamus directing the respondent to pay 6% interest on the delayed payment of retirement benefits paid to the petitioner.

4. This Court, vide judgment and order dated 29.07.2021, had disposed of the said writ petition with the following directions:-

“7. In the light of the above observations and with the consent of both parties, there shall be a direction to the respondent to pay the penal interest at the rate of 6% per annum on the belated payment of the retirement benefits for the period from the date of the retirement till the date of actual disbursement, as expeditiously as possible and in any event, within a period of four months from the date of receipt of a copy of this order.”

5. The learned counsel for the petitioner submits that the order passed by this Court in W.P.(MD) No.12839 of 2021 dated 29.07.2021 had not been



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complied with. Thus, the respondent/contemnor has wilfully and deliberately flouted the order passed by this Court and is in contempt of the order of this Court dated 29.07.2021. 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.C.Herold Singh, learned Standing Counsel for the respondent has produced a copy of the order dated 16.09.2024, which was signed on 17.09.2024, passed by the respondent, in which it has been stated that the direction issued by this Court, vide order dated 29.07.2021, in W.P.(MD) No.12839 of 2021 has been fully complied with and an interest of Rs.25,530/- at the rate of 6% on the delayed payment of retirement benefits has already been paid to the petitioner. A copy of the order dated 16.09.2024 has been produced before this Court, which is now taken on record and a copy of the same has also been given to the learned counsel for the petitioner. Thus, he submits that the respondent may be discharged from the present contempt proceedings, as the judgment and order of this Court in W.P.(MD) No.12839 of 2021, dated 29.07.2021 has been fully complied with by the respondent, vide order dated 16.09.2024.

7.Ms.R.Hema Bharathi, learned Counsel for the petitioner submits that she has received a copy of the order passed by the respondent, dated



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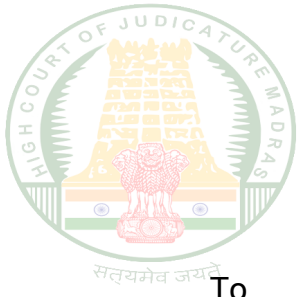
16.09.2024, signed on 17.09.2024 and she has no objection if the respondent is discharged from the contempt proceedings, as the judgment and order of this Court dated 29.07.2021 has been complied with by the respondent, vide order dated 16.09.2024. She further submits that the petitioner has also received an interest of Rs.25,530/- from the respondent.

8. Accordingly, in view of the submissions made by the learned counsels for the parties and after perusal of the records and the order passed by the respondent, dated 16.09.2024 signed on 17.09.2024, this Court satisfied that the direction issued by this Court in W.P.(MD) No.12839 of 2021, dated 29.07.2021 has been fully complied with by the respondent and thus, no useful purpose will be served in continuing the present contempt proceedings against the respondent.

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

Index :Yes / No
Internet :Yes / No
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19.06.2025



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To
WEB COPY

The Managing Director,
The State Express Transport
Corporation (Tamil Nadu) Ltd.,
Pallavan Salai,
Chennai -02.



WEB COPY



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SHAMIM AHMED, J.

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