



Cont.P.(MD) No.2539 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.04.2025

CORAM:

THE HONOURABLE Mr.JUSTICE BATTU DEVANAND

Cont.P.(MD) No.2539 of 2024

in

W.P.(MD) No.13077 of 2024

S.Kumaraguru

.. Petitioner

Vs.

1.R.Ponmudi

Managing Director,
Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
No.27, New Railway Station Road,
Kumbakonam,
Thanjavur Distrit-612 001.

2.S.Raja

General Manager,
Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
No.140, Public Office Road,
Velipalayam,
Nagapattinam-611 001,
Nagapattinam Regional Office.

.. Respondents

Prayer: Petition filed under Section 11 of the Contempt of Courts Act, to punish the respondents for having willfully and deliberately disobeyed the orders of this Court passed in W.P.(MD)No.13077 of 2024, dated 20.06.2024 and for having committed contempt of Court.



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Cont.P.(MD) No.2539 of 2024

For Petitioner : Mr.P.Manoharan

For Respondents : Mr.S.C.Herold Singh

ORDER

This contempt case has been filed complaining willful disobedience of the respondents in implementing the order, dated 20.06.2024 in W.P.(MD)No.13077 of 2024.

2. After hearing the respondent in person and their counsels, this Court prima facie came to an opinion that the respondents failed to implement the order of the Court in true letter and spirit as there is a delay of around 5 months in implementing the order of the Court.

3. Mr.R.Ponmudi, the 1st respondent herein who appeared in person before this Court submits that the Tamil Nadu State Transport Corporation (Kumbakonam) Limited is suffering with financial crisis due to the reason that the State Government is not releasing the funds properly and due to that reason, the Corporation could not settle the terminal benefits and other benefits for the retired employees and they



Cont.P.(MD) No.2539 of 2024

WEB COPY

are also facing very serious difficulties due to the reason that the State Government releasing funds on piecemeal manner. In the present case, due to that reason only, delay has occurred in implementing the order of this Court and however, they paid the entire amount to the petitioner with interest. The learned counsel for the petitioner also accepted the same.

4. Considering the reason stated by the 1st respondent, it appears that there is no any willful default on his part in the delay occurred in implementing the order of this Court. The delay has to be attributable to the State Government, who is not releasing the funds regularly and periodically to the State Transport Corporations. Due to that reason only, in number of cases, the Managing Directors and General Managers of Transport Corporation are forced to appear before this Court in the contempt cases. If State Government release funds periodically to the Transport Corporations, the officers of the Transport Corporations in the State would not face such embarrassment to appear personally before the Court in several contempt cases.



Cont.P.(MD) No.2539 of 2024

WEB COPY

5. The respondent present before this Court rendered his unconditional apology for the delay caused in implementation of the order of this Court. Considering the reasons for delay submitted by him and considering his unconditional apology, this Court is accepting it as bonafide.

6. Accordingly, this Contempt Petition is closed.

09.04.2025

NCC : Yes/No

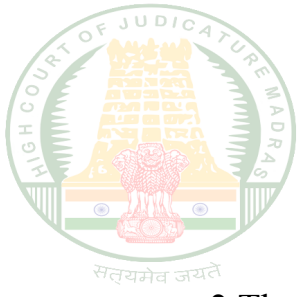
Index : Yes/No

Internet : Yes

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To

1.The Managing Director,
Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
No.27, New Railway Station Road,
Kumbakonam,
Thanjavur Distrit-612 001.



Cont.P.(MD) No.2539 of 2024

WEB COPY

2. The General Manager,
Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
No.140, Public Office Road,
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Nagapattinam-611 001,
Nagapattinam Regional Office.



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Cont.P.(MD) No.2539 of 2024

BATTU DEVANAND, J.

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