



Cont.P(MD)No.3182 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Reserved on : **09.04.2025**

Pronounced on : **28.04.2025**

CORAM:

THE HONOURABLE MR.JUSTICE BATTU DEVANAND

Cont.P.(MD)No.3182 of 2024
in W.P.(MD)No.15719 of 2024

K.Mohandoss

... Petitioner / Petitioner

Vs.

1. S. Merlin Jeyanthi,
The General Manager,
The Tamil Nadu State Transport
Corporation (Tirunelveli)Ltd.,
Nagercoil Region,
Rani Thottam, Nagercoil,
Kanniyakumari District.

2. K.Bama,
The Administrator,
Tamil Nadu State Transport
Employees Pension Fund Trust,
Thiruvalluvar Illam, Pallavan Salai,
Chennai-600 002.

... Contemnors/Respondents

PRAYER: Petition filed under Section 11 of the Contempt of Courts Act,
to pleased to commit and punish the Contemnor/ Respondent for
willfully disobeying and non complying with the order dated 15-07-2024
in WP(MD) No.15719 of 2024 and thus render justice.



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For Petitioner : Mr.G.M.Xavier
For R1 : Mr.K.Ramaiah
Standing Counsel
For R2 : Mr.S.C.Herold Singh
Standing Counsel

ORDER

While allowing a writ petition in WP(MD)No.15107 of 2024 on 15.07.2024, this Court issued the following direction:

“The respondents are directed to pay differential benefits in respect of Gratuity, Provident Fund and Encashment of leave as per wage settlement dated 24.08.2022 with interest at the rate of 6% per annum from the date of retirement till the date of disbursement within a period of eight weeks from the date of receipt of a copy of this order”

2. Complaining the disobedience on the part of the respondents in implementing the said order, the present contempt petition is filed.



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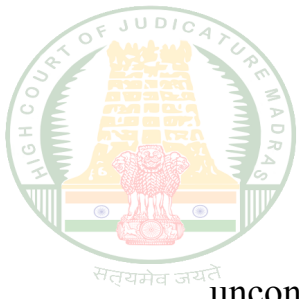
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3. The respondents filed a counter affidavit, wherein it is stated that they implemented the order of this Court. However, they admitted that there is a delay in implementing the order of the Court.

4. Considering the facts and circumstances of the case, in the considered opinion of this court, the order of the Court is not complied with in true letter and spirit as it is not implemented within the time stipulated by this Court and as such, the respondents are liable to be punished under the provisions of the Contempt of Court Act.

5. At this stage, the contemnors prayed the Court to pardon them. They also assured to be more careful in future in implementing the court's order and tendered their unconditional apology.

6. The contemnors also filed an undertaking affidavit stating that they will implement the orders without delay in future and tendered their unconditional apology. It is further stated that to prove their



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unconditional apology as *bonafide*, they are ready to do some social work as this Court deems fit.

7. They expressed their willingness to visit the premises of SAKSHAM, Sivananda Sevasram Campus, 12/7, Austinpatti Road, Sivananda Nagar, Thoppur, Madurai-625 008 (Ph.No.+919884544004), which is being run for the welfare and rehabilitation of individuals affected by Autism, Cerebral Palsy, Down Syndrome and other intellectual disabilities and to provide necessary assistance by providing required articles for utilization of the inmates of the said Centre with their own money within a period of **two months** from the date of this order.

8. Considering the undertaking given by the contemnors, this Court opines that the unconditional apology is *bonafide* and accordingly inclined to close this Contempt Petition.



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9. After visiting the said centre, the contemnors shall file an affidavit before the Registrar (Judicial), Madurai Bench of Madras High Court, Madurai, with regard to the service they rendered within a week thereafter to enable the Registrar (Judicial) to keep the same in the record for perusal of the Court.

10. If any contemnor fails to fulfill the undertaking, the Registry shall re-open the contempt petition and place before this Court.

11. Accordingly, this contempt petition is closed.

28.04.2025

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
CM



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Copy to..

Ms.Jaya,
SAKSHAM,
Sivananda Sevasram Campus,
12/7, Austinpatti Road, Sivananda Nagar,
Thoppur, Madurai 625 008
(Ph.No.+919884544004)

To,

1. S. Merlin Jeyanthi,
The General Manager,
The Tamil Nadu State Transport
Corporation (Tirunelveli)Ltd.,
Nagercoil Region,
Rani Thottam, Nagercoil,
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BATTU DEVANAND, J.,

CM

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