



Cont.P(MD)No.3181 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.3181 of 2024
in W.P.(MD)No.14310 of 2024

S.Shunmugam

... Petitioner / Petitioner

Vs.

1. Dhasarathan,
The Managing Director,
Tamil Nadu State Transport Corporation,
(Tirunelveli) Ltd.,
Kattapomman Nagar, V.M.Chathiram,
Tirunelveli.

2. Merlin Jeyanthi,
The General Manager,
Tamil Nadu State Transport Corporation,
(Tirunelveli) Ltd.,
Nagercoil Region, Ranithottam,
Nagercoil.

3. Bama
Administrator, Tamil Nadu State Transport
Employees Pension Fund Trust,
Thiruvalluvar Illam, Anna Salai,
Chennai – 2.

... Contemnors/Respondents



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PRAYER: Petition filed under Section 11 of the Contempt of Courts Act, to please To punish the Contemnors/ Respondents herein for their deliberate and willful disobedience of the order of this Honourable Court dated 02-07-2024 passed in WP(MD) No.14310 of 2024.

For Petitioner : Mr.R.Murugan

For R1 & R2 : Mr.K.Ramaiah
Standing Counsel

For R3 : Mr.S.C.Herold Singh
Standing Counsel

ORDER

While allowing a writ petition in WP(MD)No.14310 of 2024 on 02.07.2024, this Court issued the following direction:

“The respondent Corporation is directed to pay the differential benefits in respect of Gratuity, commutation of pension, arrears of monthly pension as per wage settlement dated 24.08.2022. This amount shall be paid within a period of six weeks from the date of receipt of a copy of this order”



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

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.



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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 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.



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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.

9. After visiting the said home, 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. Dhasarathan,
The Managing Director,
Tamil Nadu State Transport Corporation,
(Tirunelveli) Ltd.,
Kattapomman Nagar, V.M.Chathiram,
Tirunelveli.

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BATTU DEVANAND, J.,

CM

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