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CONT P No. 1028 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-04-2026

CORAM

THE HON'BLE DR.JUSTICE A.D.MARIA CLETE

Cont. P. No. 1028 of 2026
in W.P.No.18268 of 2020

T.Rajeswari

..Petitioner

Vs

D.Anitha
Administrative Officer,
The Management of
C.S.I. Rainy Hospital Employees Co-Operative
Thrift and Credit Society Ltd XC- 169
Rep by its President
No 45 G.A. Road Old Washermenpet
Chennai- 21.

..Contemnor(s)

Prayer: Contempt Petition is filed under Section 11 of the Contempt of Courts Act, 1971, praying to punish the respondent for contempt of Court for willful and wanton disobedience of the order of this Hon'ble Court dated 19.02.2025 in W.P.No.18268/2020.

For Petitioner : Mr. M.Ravi Bharathi

For Contemnor : Mr.Murali,
Government Advocate

ORDER

This Contempt Petition has been filed to punish the respondent for willful and wanton disobedience of the order of this Court dated 19.02.2025 passed in W.P.No.18268/2020.



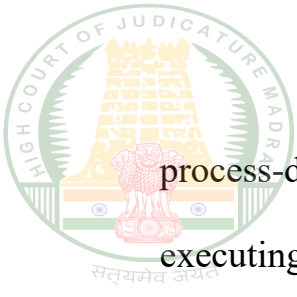
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2. Heard the learned counsel on either side.

3. The underlying dispute arises from an order of payment of Provident Fund as well as earned leave compensation passed by the Labour Court which, on challenge, stood confirmed by this Court. The present grievance, in substance, is to secure implementation of the order passed by this Court.

4. The settled position is that when this Court confirms or modifies an award of the Labour Court, it yet remains an award of the Labour Court as so modified. Non-implementation of such award does not, by itself, found contempt; the appropriate remedy is execution under the Industrial Disputes Act before the jurisdictional Labour Court. Contempt is not a substitute for execution and the said position was settled in the Judgment of the Division Bench of this Court in ***R. Gopala Krishnan v. Management of Binny Ltd., Chennai, [2001 (4) LLN 854]***.

5. Contempt lies only upon intentional disobedience of a clear, specific and mandatory judicial command by a person having notice and capacity to comply. The order dated 19.02.2025 recorded that the Management should pay the remaining amount due to the first respondent workman. That



process-direction cannot be employed to convert contempt jurisdiction into an executing forum or to adjudicate the merits of implementation.

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6. On these premises, the petition, framed as a contempt action to secure the fruits of the Labour Court award, is not maintainable.

7. Accordingly, the Contempt Petition is dismissed as not maintainable, leaving it open to the petitioner to work out execution before the jurisdictional Labour Court or avail of any other remedy in law, as advised. No opinion is expressed on the merits of the award or on any claim to monetary/service benefits. Consequently, connected miscellaneous petitions, if any, stand closed. No costs.

17-04-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
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DR.A.D.MARIA CLETE, J.

SRM

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