



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Wednesday, the Seventeenth day of June Two Thousand Fifteen

PRESENT

The Hon`ble Mr.Justice S.NAGAMUTHU

WEB COPY

SUB A(MD) No.177 of 2014
IN
CONT P(MD) No.263 of 2013 in
WP(MD)No.10630/2012

B. KARUPPIAH ... PETITIONER/PETITIONER

Vs

1 THIRU.S.V. SUBBIAH
THE GENERAL MANAGER, TNSTC(MADURAI) LTD,
DINDIGUL REGION, DINDIGUL

2 THIRU.H. SUNDAR
THE ADMINISTRATOR
TAMIL NADU STATE TRANSPORT EMPLOYEES PENSION FUND TRUST
THIRUVALLUVAR ILLAM, ANNA SALAI,
CHENNAI - 2 ... RESPONDENTS/CONTEMNORS

PRAYER IN SUB.A(MD)NO.177/2014: This Petition filed under Section 151 C.P.C. Praying to recall the order dated 27.09.2013 closing the case Cont.No. 263/13 in WP. No. 10630/2012 and restore the same on file for hearing.

Prayer in Cont.P(MD)No.263/2013: This petition filed under Section 11 of Contempt of Court Act, 1971, praying to commit and punish the Respondents for willfully disobeying and complying with the order of this Honourable Court dated 04/09/2012 in WP(MD) No.10630 of 2012 and thus render justice.

Prayer in WP(MD)No.10630/2012: Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of mandamus directing the 1st Respondent to pay the petitioner all terminal benefits payable to him with 16% interest and further directing Respondents to pay him pension under TNSTCEPF rules arrears from 01/06/2012 with 16% interest and to pass further orders.

ORDER : This petition coming on for hearing upon perusing the petition and the affidavit filed in support thereof and the Order of this Court dated 27/09/2013 made in Contempt Petition (MD)No.263 of



2013 and upon hearing the arguments of M/S.S.ARUNACHALAM, Advocate for the petitioner herein and of Mr.A.P.Muthupandian/Contemnors this Court made the following order:-

This Petition has been filed seeking to recall the order made by this Court, in Cont.P(MD)No.263/2013 in WP(MD)No.10630 of 2012, dated 27/09/2013.

It is submitted by the learned Counsel appearing for the Petitioner that the order of this Court in WP(MD)No.10630/2012 was not fully complied with. But, a statement was made before this Court, as though, the order has been fully complied with and based on the same, the Contempt Petition is closed. Therefore, according to the Petitioner, the Contempt Petition needs to be restored, after recalling the order dated 27/09/2013.

No Counter has been filed. The respondents have not even made appearance, despite Service of Notice. Therefore, this Petition is allowed. The Order dated 27/09/2013 made in Cont.P(MD)No.263 of 2013 in WP(MD)No.10630/2012 is recalled and Cont.P(MD)No.263/2013 is restored.

Sd/-
Assistant Registrar

/ TRUE COPY /

Sub-Assistant Registrar

TO

1. THIRU.S.V. SUBBIAH
THE GENERAL MANAGER,
TAMIL NADU STATE TRANSPORT CORPORATION (MADURAI) LTD,
DINDIGUL REGION, DINDIGUL
 2. THIRU.H. SUNDAR
THE ADMINISTRATOR
TAMIL NADU STATE TRANSPORT EMPLOYEES PENSION FUND TRUST
THIRUVALLUVAR ILLAM, ANNA SALAI, CHENNAI - 2
- COPY TO: THE SECTION OFFICER, CONTEMPT SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

RL/4C - 25/6/2015

ORDER Date :17/06/2015
ORDER

SUB A(MD) No.177 of 2014
IN

CONT P(MD) No.263 of 2013 IN
WP(MD)NO.10630 OF 2012

ALLOWING THIS SUB APPLICATION AND THE
ORDER DATED 27/09/2013 MADE IN CONT.P(MD)
NO.263 OF 2013 IN WP(MD)NO.10630 OF 2012
IS RECALLED AND CONT.P(MD)

NO.263/2013 IS RESTORED ON FILE, ETC AS STATED WITHIN