



WEB COPY

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.06.2017

CORAM :

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

and

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

CONT. P.(MD)No.1659 of 2016

in

W.A.(MD).57 of 2016

T.R.Selvaraj

...Petitioner / Respondent

Vs.

1.Mr.Rengarajan,
The Managing Director,
Tamil Nadu State Transport Corporation (Kumbakonam) Limited,
Kumbakonam.

2.Mr.Arumugam,
The Administrator,
Tamil Nadu State Transport
Corporation Pension Fund Trust,
Thiruvalluvar House, Pallavan Salai,
Chennai-02.

...Contemnors / Appellants

Prayer: Contempt Petition filed under Section 11 of Contempt of Courts Act 1971, praying to initiate contempt proceedings against the contemnors/respondents and punish him for the willful disobedience of the order of the Hon'ble High Court in WA(MD). No.57 of 2016 dated 29.01.2016.

Prayer in WA(MD). 57/ 2016 :

Writ Appeal against the order passed dated 30/11/2015 and made in WP NO.17776 of 2015 .

Prayer in WP(MD). 17776/ 2015 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents to settle retirement benefits of the petitioner including gratuity, commuted value of pension, leave salary and all other attendant benefits with interest at the rate of 18% per annum within the time that may be stipulated by this Honourable Court and further directing the respondents to pay interest at the rate of 18% per annum for the belated payment of provident fund, Employees social protection scheme amount and refund of Institute of road transport contribution amount within the time limit that may be fixed by this Hon'ble Court.

For Petitioner

: Mr.A.Rahul

For Respondents

: Mr.D.Sivaraman

For R1

Mr.A.P.Murugapandian

For R



ORDER

[Order of the Court was made by T.S.SIVAGNANAM, J.]

The contempt petition has been filed alleging the willful disobedience of the order passed by the Division Bench, dated 29.01.2016.

2.It is admitted on either side, except for commutation and retirement scheme arrears other monetary benefits have been settled to the petitioner/respondent.

3.The learned Counsel appearing for the respondents would submit that reasonable time may be granted to settle the same. It is seen that though the Division Bench granted indulgence to pay the commutation and the other arrears in installments, insofar as these two conditions, the respondents have defaulted in payment of installments. Therefore, they cannot be granted further indulgence and have to settle the same in one lumpsum.

4.Accordingly, we direct the first respondent to settle the retirement scheme arrears to the workman within a period of four weeks from the date of receipt of copy of this order. The second respondent is directed to settle the commutation amount payable to the petitioner within a period of four weeks from the date of receipt of copy of this order.

5.With the above observations, this contempt petition is disposed of. If any one of the conditions is not complied with, within the time stipulated by this Court, the petitioner is at liberty to seek restoration of this contempt petition.

Sd/-

Assistant Registrar(CS-II)

/ True Copy /

Sub Assistant Registrar(C.S.)

To

+1cc to M/S.A.RAHUL, Advocate SR.No.63038

+1cc to M/S.D.SIVARAMAN, Advocate SR.No.62958

TSG/msa

MAS/KK/SAR2:03.08.2017:2P-3C

CONT. P. (MD) No.1659 of 2016
in

W.A. (MD) .57 of 2016
29.06.2017