



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Tuesday, the Twenty Third day of October
Two Thousand Eighteen

PRESENT

WEB COPY

THE HON`BLE MR JUSTICE S.VAIDYANATHAN

SUB A(MD) No.266 of 2017

IN

CONT P(MD) No.153 of 2017

N.NAGENDRAN,

... PETITIONER/PETITIONER

Vs

1 MR.MUTHUKRISHNAN,
THE MANAGING DIRECTOR -IN CHARGE,
TAMIL NADU STATE TRANSPORT CORPORATION (MADURAI) LIMITED,
BY PASS ROAD, MADURAI-625 016

2 MR.SUKUMAR,
FINANCIAL ADVISOR & CHIEF ACCOUNTS OFFICER,
TAMIL NADU STATE TRANSPORT CORPORATION (MADURAI) LIMITED,
BY PASS ROAD, MADURAI-625 016

3 MR.ARUMUGAM,
THE ADMINISTOR,
TAMIL NADU STATE TRANSPORT,
EMPLOYEES PENSION FUND TRUST,
THIRUVALUVAR ILLAM, PALLAVAN SALAI,
CHENNAI-02

... CONTEMNORS/RESPONDENTS

PRAYER IN SUB A(MD) No.266 of 2017:

Sub Application filed Under Section 151 of C.P.C. to Re-open the Contempt Petition No.153 of 2017, which was closed on 18.8.2017, and punish the Contemnors/Respondents for their willful disobedience of the order of this Court passed in Writ Petition W.P.(MD) No.18899 of 2017 dated 03.10.2016.

Prayer in CONT P(MD). 153/ 2017 :

Contempt Petition filed Under Section 11 of Contempt of Court Act, to commit and punish the Respondents for their willful disobedience and noncompliance of the order of this Court in W.P. (MD)No.18899 of 2016 dated 03.10.2016.

Prayer in WP(MD). 18899/ 2016 :

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 pay all the terminal benefits amount payable to the petitioner including Provident fund, Gratuity, Commuted Value of Pension, Unavailed Leave Salary, Service-Surrender Leave Salary, Refund amount of Institute of Road Transport and Dearness Allowance



arrears together with 18% interest from the date of retirement to till the date of payment and all other attendant benefits to the petitioner within the stipulated period.

ORDER : The Sub Application coming on for hearing on this day upon perusing the Application and Material papers in this application and upon hearing the arguments of M/S.A.RAHUL, Advocate for the petitioner herein and MR.A.P.MUTHUPANDIAN, Standing Counsel for TNSTC, for Respondents this court made the following order:-

This Sub Application in Contempt Petition has been filed, seeking to reopen the Contempt Petition No.153 of 2017, which was closed on 18.08.2017, so as to punish the Contemnors/Respondents for their wilful disobedience of the order passed by this Court in W.P. (MD) No.18899 of 2016 dated 03.10.2016.

2. When the matter is taken up for hearing, learned counsel appearing for the 3rd respondent / Trust has submitted that only a sum of Rs.1,27,429/- is due to be paid and the remaining amount had already been paid to the petitioner. He has further submitted that the amount of Rs.1,27,429/- would be paid to the petitioner before the end of November, 2018.

3. In view of the above submission, it is directed that a sum of Rs.20,000/- shall be paid on or before 02.11.2018 and the balance amount shall be be paid before the end of November, 2018. It is needless to state that in the event of the petitioner finding that the calculation derived by the respondents is wrong, it is open to him to work out his remedy before the appropriate Forum. This application is closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS-I)

TO

1 THE MANAGING DIRECTOR -IN CHARGE,
TAMIL NADU STATE TRANSPORT CORPORATION (MADURAI) LIMITED,
BY PASS ROAD, MADURAI-625 016

2 FINANCIAL ADVISOR & CHIEF ACCOUNTS OFFICER,
TAMIL NADU STATE TRANSPORT CORPORATION (MADURAI) LIMITED,
BY PASS ROAD, MADURAI-625 016

3 THE ADMINISTROR,
TAMIL NADU STATE TRANSPORT,
EMPLOYEES PENSION FUND TRUST,
THIRUVALLUVAR ILLAM, PALLAVAN SALAI,
CHENNAI-02



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Order Date :23/10/2018

SUB A(MD) No.266 of 2017
IN

CONT P(MD) No.153 of 2017

ORDER

Giving Direction ect. As
stated within.

TR/RSK/SAR-I(29.10.2018)3P 4C