



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

Monday, the Ninth day of April Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice K.RAVICHANDRABAABU

WEB COPY

SUB A(MD) No.275 of 2017
IN
CONT P(MD) No.1498 of 2015
in
WP(MD)No.9544 of 2010

R.MOOKAMMAL

.. PETITIONER/ PETITIONER

Vs

- 1 THIRU.A.BALAKRISHNASAMY,
THE MANAGING DIRECTOR,
STATE EXPRESS TRANSPORT CORPORATION (TAMILNADU) LTD.,
PALLAVAN SALAI, CHENNAI-2.
 - 2 THIRU.C.ARUMUGAM,
THE ADMINISTRATOR,
TAMIL NADU STATE TRANSPORT EMPLOYEES PENSION FUND TRUST,
THIRUVALLUVAR ILLAM, ANNA SALAI,
CHENNAI-2.
- ... RESPONDENTS/ CONTEMNORS

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to reopen the order dated 06/12/2017 closing the Cont P(MD).No.1498 of 2015 in WP(MD).No.9544 of 2010 and re-open the same on file.

Prayer in CONT P(MD) . 1498/ 2015 :

To punish the Respondents for willfully disobeying and not complying with the order of this Honourable Court dated 11.11.2014 in WP.(MD).No.9544/2010 and thus render justice.

Prayer in WP(MD) . 9544/ 2010 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue appropriate Writs, Orders or Directions and in particular writ of Mandamus directing the Respondents to treat entire service of the petitioner from 07.02.94 to 30.11.06 as pensionable service and to pay pension to her for the same under the TNTCEPFS Pension Rules every month from 01.12.06 with all arrears and with interest of 16% p.a. and to further direct the 1st Respondent to pay her the arrears of gratuity payable for the period of three years of her service from 07.02.94 to 28.02.97 along with interest of 16% p.a.



ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.RM.SIVAKUMAR, Advocate for the petitioner and of M/S.K.SATHIYASINGH, Advocate on behalf of the Respondents, the court made the following order:-

This sub application is filed to re-open the contempt which was closed on 06.12.2017 by recording the statement made by the learned counsel for the respondent that the order passed in the writ petition has been complied.

2.Now, it is stated by the petitioner that such statement was wrong, as the respondents/contemnors have not complied with the order in full. It is the specific case of the petitioner that neither the arrears nor the interest was paid as directed by this Court. In fact, this sub-application was listed before the Court on 22.12.2017 and the same was adjourned at request. Today, again the matter is listed for further hearing. However, the learned counsel for the respondent is not in a position to get any instruction.

3.Considering the above stated facts and circumstances, this sub application is allowed and the contempt petition is re-opened.

4.Post the contempt petition on 26.04.2018 for further hearing.

sd/-
09/04/2018

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THIRU.A.BALAKRISHNASAMY,
THE MANAGING DIRECTOR,
STATE EXPRESS TRANSPORT CORPORATION (TAMILNADU) LTD.,
PALLAVAN SALAI, CHENNAI-2.
- 2 THIRU.C.ARUMUGAM,
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ORDER
IN
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IN
CONT P(MD) No.1498 of 2015
IN
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Date :09/04/2018