



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

Monday, the Seventeenth day of September Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

SUB A(MD) No.121 of 2018

IN

CONT P(MD) No.748 of 2017

M.THANGAIYAN

... PETITIONER/PETITIONER

Vs

- 1 MR.BALAKRISHNASAMY
MANAGING DIRECTOR,
TAMIL NADU STATE TRANSPORT CORPORATION
(TIRUNELVELI) LTD.,
TIRUNELVELI
- 2 MR.THIRUVAMBALAM PILLAI,
GENERAL MANAGER,
TAMIL NADU STATE TRANSPORT CORPORATION,
NAGERCOIL, KANYAKUMARI.
- 3 MR.ABRAHAM
SELECTION GRADE ASSISTANT MANAGER (PENSION)
TAMIL NADU STATE TRANSPORT CORPORATION
NAGERCOIL, KANYAKUMARI DISTRICT.

- 4 THE ADMINISTRATOR,
TAMIL NADU STATE TRANSPORT CORPORATION
EMPLOYEES PENSION FUND TRUST,
THIRUVALLUVAR HOUSE,
PALLAVAN, SALAI CHENNAI-2

... RESPONDENTS/RESPONDENTS

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to reopen the Contempt Petition made in Contempt Petition (MD) No.748 of 2017 closed by this Honourable Court dated 29.1.2018 and pass such further or other orders as this Honourable Court may deem fit and proper in the circumstances of the case and thus render justice.

Prayer in CONT P(MD).748/2017 :

To punish the Respondents for their deliberate and willful disobedience of the order of this Honourable Court made in WP(MD). No.5830 of 2008 dated 03/04/2013.

**Prayer in WP(MD).5830/2008 :**

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the orders in Letter No. Special /Pension/TNSTC(Madurai zone)/nager/06 dated 17/12/2007 on the file of the third respondent, to quash the same and to direct the respondents 1 to 3 herein to forthwith pay the petitioner, the arrears pension till this day and to continue to pay the pension taking into account the service of the petitioner with effect from the date of original appointment in the Tamil nadu State Transport Corporation, Zone III, nagercoil, i.e from 31/12/1986

ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of MR.G.RAMANATHAN, Advocate for the petitioner and of MR.SATHIYASINGH, Advocate for R1 to R3, and MR.A.P.MUTHUPANDIAN, Advocate for R4, the court made the following order:-

Mr.A.P.Muthupandian, learned standing counsel appearing for the fourth respondent submits that the arrear amount will be disbursed in twelve equal installments to the petitioner. The first monthly installment shall commence from the month of October 2018.

2. Recording the above said submission, this sub application is closed. It is made clear that even if one installment is not paid, it is open to the petitioner to revive this contempt petition. It is also made clear that on such revival, this Court will take a serious view of the matter.

sd/-

17/09/2018

/ TRUE COPY /

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

TO

1 MR.BALAKRISHNASAMY
MANAGING DIRECTOR,
TAMIL NADU STATE TRANSPORT CORPORATION
(TIRUNELVELI) LTD.,
TIRUNELVELI

2 MR.THIRUVAMBALAM PILLAI,
GENERAL MANAGER,
TAMIL NADU STATE TRANSPORT CORPORATION,
NAGERCOIL, KANYAKUMARI.



3 MR.ABRAHAM
SELECTION GRADE ASSISTANT MANAGER (PENSION)
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4 THE ADMINISTRATOR,
TAMIL NADU STATE TRANSPORT CORPORATION
EMPLOYEES PENSION FUND TRUST,
THIRUVALLUVAR HOUSE,
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ORDER
IN
SUB A(MD) No.121 of 2018
IN
CONT P(MD) No.748 of 2017
Date :17/09/2018

PK/RR/SAR-1/05.10.2018 : 3P/5C