



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.02.2018

CORAM

WEB COPY

THE HONOURABLE DR.JUSTICE S.VIMALA

Contempt Petition (MD)No.719 of 2016
in W.P.(MD)No.21615 of 2015

N.Malaisamy

..Petitioner/Petitioner

Vs.

1.R.Rengarajan,

The Managing Director, Tamil Nadu state Transport
Corporation (Kumbakonam) Ltd. Kumbakonam.

2.Arumugam,

The Administrator, Tamil Nadu state Transport
Corporation Pension Fund Trust,
Pallavan Salai, Chennai-02.

.. Contemnors/Respondents

PRAYER: Contempt Petition filed under section 11 of the Contempt of Courts Act, to punish the respondents for their willful disobedience of the order passed by this Honourable Court in W.P(MD)No.21615 of 2015 dated 04.01.2016.

Prayer in WP(MD). 21615/ 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 extend 4th review benefit and pay revision with an increase at the rate of 5.5% of basic pay and grade pay from 01.09.2013 to 30.11.2013 in terms of Settlement under Section 12(3) of the Industrial Disputes Act dated 13.04.2015 and to pay arrears of difference in salary, difference in monthly pension and all other retirement benefits including Gratuity, the Commuted value of Pension, Leave Salary with enhanced dearness allowance at the rate of 90% in terms of the Letter Ms No.24 Transport (E) Department dated 20.02.2014 in terms of the above settlement together with interest at the rate of 18% per annum from the date of the petitioner's retirement to till the date of settlement within the time that may be stipulated by this Hon'ble Court and further directing the respondents to pay interest at the rate of 18% per annum for the belated payment of the Provident Fund and Social Security Scheme arrears within the time limit that may be fixed by this Hon'ble Court.

For Petitioner : Mr.A.Rahul

For R-1 : Mr.D.Sivaraman

For R-2 : Mr.A.P.Muthupandian

O R D E R

The contempt petition has been filed to commit and punish the respondents for their willful disobedience of the order passed by this Court in W.P.(MD)No.21615 of 2015, dated 04.01.2016.

2. Heard Mr.Rahul, learned counsel for the petitioner, Mr.D.Sivaraman, learned counsel for the first contemnor and Mr.A.P.Muthupandian, learned counsel for the second contemnor.

3. The petitioner claims that all the terminal benefits have already been paid to the petitioner. However, difference in commutation of Rs.1,30,788/- and pay revision arrears of Rs.2,41,215/- have not been paid.

4. The learned counsel for the contemnors on instructions would submit that the amount due and payable if any shall be calculated and paid to the petitioner, within a period of two months from the date of receipt of a copy of this order. In case of non-compliance, the petitioner can revive the contempt petition.

5. Recording the above submission, this contempt petition is closed with liberty to the petitioner to revive the contempt petition in case of non-compliance. No costs.

Sd/-

Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1.R.Rengarajan, Managing Director, Tamil Nadu state Transport Corporation (Kumbakonam) Ltd. Kumbakonam.

2.Arumugam, Administrator, Tamil Nadu state Transport Corporation Pension Fund Trust, Pallavan Salai, Chennai-02.

+1CC to Mr.A.Rahul, Advocate, SR.No. 47503

+1CC to Mr.D.Sivaraman, Advocate, SR.No. 47052

Contempt Petition (MD)No.719 of 2016
in W.P.(MD)No.21615 of 2015

Ls/rj2

AM/GT/SAR 1/22.02.2018/2P/5C