



Cont P. No.542 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :16.12.2019

CORAM

THE HON'BLE MR.JUSTICE D. KRISHNAKUMAR

Cont Petition.No.542 of 2019

in

W.P.No.29433 of 2013

G.M.Kulasekaran

... Petitioner

vs

1. K. Ganesan

Tamilnadu State Transport Corporation,
Villupuram Division,
Registered Office 3/137,
Salaemdu Valuthareddy Post,
Villupuram 605 602

2. J. Sundaram

Tamilnadu State Transport Corporation
Villupuram Division,
Vellore Region, Vellore -9
Rep. by its Managing Director

... Respondents

Prayer: Contempt Petition filed under Section 11 of the Contempt of Court Act, praying to punish the respondents for having willfully disobeyed the order of this Hon'ble Court dated 01.10.2018 in W.P. No.29433 of 2013.

For Petitioner : Mr. S. Arokia Maniraj

For Respondents : Mr. Antony Arockiaraja,
Standing counsel
for Transport Corporation.



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O R D E R

The petitioner has filed the above Contempt Petition to punish the respondents for having willfully disobeyed the order of this Hon'ble Court dated 01.10.2018 in W.P. No.29433 of 2013.

2. The memo of calculation has been filed on behalf of the respondents, wherein it is stated that after taking into consideration the pensionable service as 30 years, a sum of Rs.2,17,780/- is payable towards commutation and hence a sum Rs.43,496/- is payable towards the difference in commutation calculation and a sum of Rs.1,92,154/- is payable towards the difference in arrears of pension by taking the arrears as Rs.2,416/- per month. But in this regard, the writ petitioner has disputed that the respondents have to pay a sum of Rs.2,44,408/-. According to the respondents, the petitioner has admitted the difference in pension amount as Rs.2,416/- per month and based on the same, the respondents have calculated and arrived a sum of Rs.1,92,154/- towards the pension arrears. So far as the difference in gratuity is concerned, the petitioner has claimed Rs.1,11,551/-, but, according to the respondents, they have calculated the total gratuity amount as Rs.4,08,698/-, out of which they have already paid a sum



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of Rs.2,10,447/- through ECS on 24.05.2017 and after deducting a sum of Rs.1,11,551/- towards the availed house loan, the difference of gratuity amount to be paid by the respondents is only Rs.86,691/-.

3. According to the respondents the total arrears comes to Rs.3,22,341/-. After deducting the employer share of Rs.29,395/- as on 01.05.2000, the interest amount calculated for Rs.29,395/- as on 30.09.2019 at Rs.1,62,806/- and the difference of pension for the month of September 2019 at Rs.2,416/-, the total amount payable to the writ petitioner is Rs.1,32,556/-. The respondents have paid Rs.1,32,556/- towards the the difference in payments through various modes, as detailed below:

S.No.	Mode of payment	Date	Amount (Rs.)
1.	Cheque No.879562	04.11.2019	86,691/-
2.	ECS	15.12.2019	43,449/-
3.	ECS	15.12.2019	2,416/-

According to the respondents, the aforesaid cheque No.879562 dated 04.11.2019 for Rs.86,691/- has been handed over to the petitioner's counsel today and acknowledgment has also been received and accordingly, the order of this Court has been complied with.



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4. Since the order of this court has been complied with, this contempt petition is closed. If the petitioner has any dispute over the calculation of the arrears by the respondents, it is always open to the writ petitioner to challenge the same in the manner known to law.

SD/-

ASSISTANT REGISTRAR (COMM.CASES)

bga

//Certified to be true copy//

Dated at Madras this the day of 2020.

COURT OFFICER (O.S.)

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SMI/08/01/2020

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1. K. Ganesan
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