

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.02.2019

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

Contempt Petition No.1590 of 2018

C.Subramanian

..

Petitioner

-vs-

1. Thiru P.W.C.Davidar, I.A.S.,
The Government of Tamil Nadu
rep by its Principal Secretary to Government
Transport Department
Secretariat
Chennai 600 009
2. Thiru G.Ganesan
The Managing Director
Tamil Nadu State Transport Corporation
(VPM) Ltd.,
3/137, Salamedu, Valuthareddy Post
Villupuram 605 602
3. Thiru C.Arumugam
The Administrator
Tamil Nadu State Transport Corporation
Pension Fund Trust
Thiruvalluvar House
Pallavan Salai
Chennai 600 002

..

Respondents

Petition under Section 11 of the Contempt of Courts Act, 1971 praying to punish the respondents for wilful disobedience of the order of this Court dated 30.03.2016 made in W.P.No.11857 of 2016.

For Petitioner ::

Mr.K.Sathish

For Respondents ::

Mrs.P.Rajalakshmi

Additional Government Pleader
for R1

Mr.A.Antony Arockia Raja

Standing Counsel for R2 & 3

ORDER

When the matter was taken up, the learned standing counsel for the respondents 2 & 3, filing an undated calculation memo, stated that the entire amount payable by the respondents has been settled to the petitioner. He has further submitted that neither in the affidavit filed in support of the writ petition nor in the contempt petition, the petitioner has come forward to mention even one penny that is due under the Social Welfare Scheme. That shows that he is not entitled to any amount under the said head. Secondly, the petitioner claims that the entire amount has not been paid towards leave surrender. On the other hand, the learned standing counsel for the respondents 2 & 3 claims that the entire amount under the head leave liability has been paid. Similarly, under the head of payment towards post retirement benefit fund, the learned standing counsel submitted that the petitioner is not entitled to receive the same.

2. I fully agree with the contentions made by the learned standing counsel for the respondents 2 & 3. When the petitioner has not shown any justifiable reason for claiming the benefit under the heads of post retirement benefit fund and revision of pay scales based on the

settlement and the revision of dearness allowance, this contempt petition stands closed giving liberty to the petitioner to workout his remedy before the Labour Court.

SD/-
ASSISTANT REGISTRAR (COMM. CASES)

ss

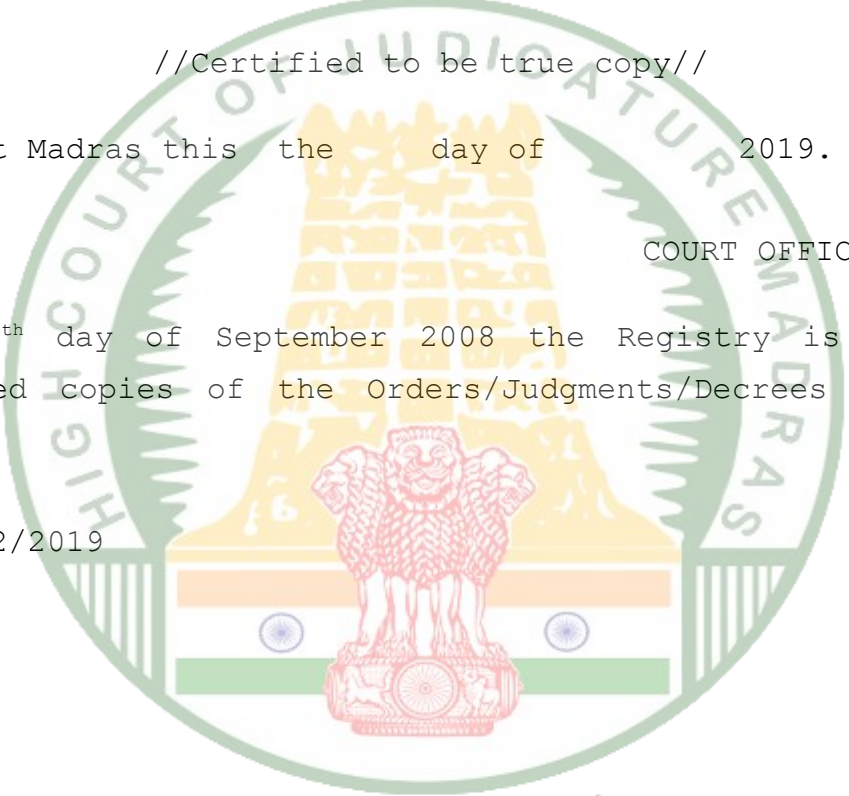
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Dated at Madras this the day of 2019.

COURT OFFICER (O.S.)

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PS/27/02/2019



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