

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.03.2019

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

Contempt Petition No.1761 of 2018

Ramu

S/o K.Padmanaban

.. Petitioner

-vs-

1. Thiru.P.W.C.Davidar, I.A.S.,
Principal Secretary to Government
Transport Department
The Government of Tamil Nadu
Fort St.George
Chennai 600 009

2. Thiru.A.Dhanulingam
Managing Director
Metropolitan Transport Corporation
Chennai Ltd.,
Pallavan Salai
Chennai 600 002

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 26.04.201 made in W.P.No.10484 of 2017.

For Petitioner

::

Mr.D.Veerasekaran

For Respondents

::

Mr.M.Palani

Government Advocate for R1

Ms.S.Rajini Ramadoss

Standing Counsel for R2 & 3

ORDER

After the order passed by this Court directing the respondent-Transport Corporation to settle the retiral benefits with interest at the rate of 6% per annum, the respondents have paid the retiral benefits to the petitioner. But it has been now raised by the learned counsel for the petitioner that as per the wage settlement reached under Section 12(3) of the Industrial Disputes Act, 1947 with effect from 1.9.2013, the second respondent has settled only Rs.28,196/-, whereas the petitioner is eligible from 1.9.2013 to 31.10.2015 and he is to be still settled Rs.37,064/- along with interest. Paragraph-3 of the rejoinder affidavit does not make out any case for giving any more direction.

2. On the other hand, the counter affidavit filed by the respondents shows that the petitioner has been paid with the amount along with interest as detailed below:-

Sl.N o.	Retirement Benefits	Eligible amount	Paid amount	6% interest	Paid through
1	Gratuity	Rs.6,96,218/-	Rs.6,96,218/-	Nil	Cheque No.318801 dated 31.01.2016
2	Difference in Gratuity	Not eligible			
3	Provident Fund	Rs.2,91,913/-	Rs.2,91,913/-		Cheque No.136141 dated 31.12.2015
4	EL	Rs.21,500/-	Rs.21,500/-	Rs.2,150/-	ECS on 18.09.2018
5	Settlement arrears	Rs.28,196/-	Rs.28,196/-		

Sl.N o.	Retirement Benefits	Eligible amount	Paid amount	6% interest	Paid through
6	Pension Commutatio n	Rs.2,88,297/-	Rs.2,88,297/-	Rs.33,363 /-	ECS on 16.08.2018
7	Social Security Scheme	Rs.20,000/-	Rs.20,000/-		ECS on 19.08.2018
	Total	Rs.13,46,124/-	Rs.13,46,124	Rs.35,513	

3. This has not been disputed by the learned counsel for the petitioner. Therefore, the contempt petition stands closed.

SD/-
ASSISTANT REGISTRAR (COMM.CASES)
ss

//Certified to be true copy//

Dated at Madras this the day of 2019.

COURT OFFICER (O.S.)

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THS/25/03/2019

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