

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.03.2019

CORAM:

THE HON'BLE MR.JUSTICE T.RAJA

Contempt Petition No.2208 of 2017

P.K.Murthy

... Petitioner

Vs.

1. Thiru K.Muthukaruppan,
Managing Director,
Tamil Nadu State Transport Corporation
(Villupuram) Limited,
Vazhuthareddy,
Villupuram-605 602.

2. Thiru N.Ramesh,
General Manager,
Tamil Nadu State Transport Corporation
(Villupuram) Limited,
Vellore Region, Vellore-632 009. Respondents

This Contempt Petition is filed to punish the respondents for willfully and wantonly disobeying the order of this Court dated 04.02.2016 in W.P.No.4281 of 2016.

For Petitioner : Mr.J.Pradeep
For Respondents : Mr.A.Antony Arockiya Raj,
Standing Counsel

O R D E R

Alleging the violation of the orders of this Court made in W.P.No.4281/2016 dated 04.02.2016, the present contempt petition has been filed.

2. When the matter is called, the learned Counsel for the petitioner submitted that Rs.4,10,566/- under Gratuity Head with interest at the rate of 6% for 973 days i.e. from 01.07.2013 to 28.02.2016, namely, Rs.65,668/- interest which amounts to Rs.4,76,234/- has been wrongly calculated as Rs.3,78,307/-. Therefore, the balance amount of Rs.39,289/- shall be paid. Similarly under the Leave Salary Calculation Rs.1,15,349/- along with interest at the rate of 6% for 973 days i.e. from 1.7.2013 to 28.2.2016, namely, Rs.18,449/- totalling a sum of Rs.1,33,798/- has been wrongly calculated as Rs.1,16,604/-. Hence, the balance amount of Rs.17,194/- has to be paid.

3. Per contra, the Calculation Memo filed by the respondent Transport Corporation shows that a proper calculation of gratuity by using the mode of computation of Gratuity (Basic+Grade Pay + DA + Qualifying Service), a sum of Rs.3,78,307/- has been arrived at, that has been settled in 10 instalments as per the Court's order and the last instalment was on 24.05.2017. Therefore, the calculation made by the petitioner that the total amount of Rs.4,10,566/- is wrong. Although both the parties have calculated the amount under the Leave Liability amount as Rs.1,16,604/-, the learned Counsel for the petitioner fairly submitted that this amount has been paid.

4. In view of all the above, the Contempt Petition is closed with liberty to the petitioner to work out his remedy in the manner known to law, if he is so advised.

SD/-
ASSISTANT REGISTRAR (COMM.CASES)

tsi

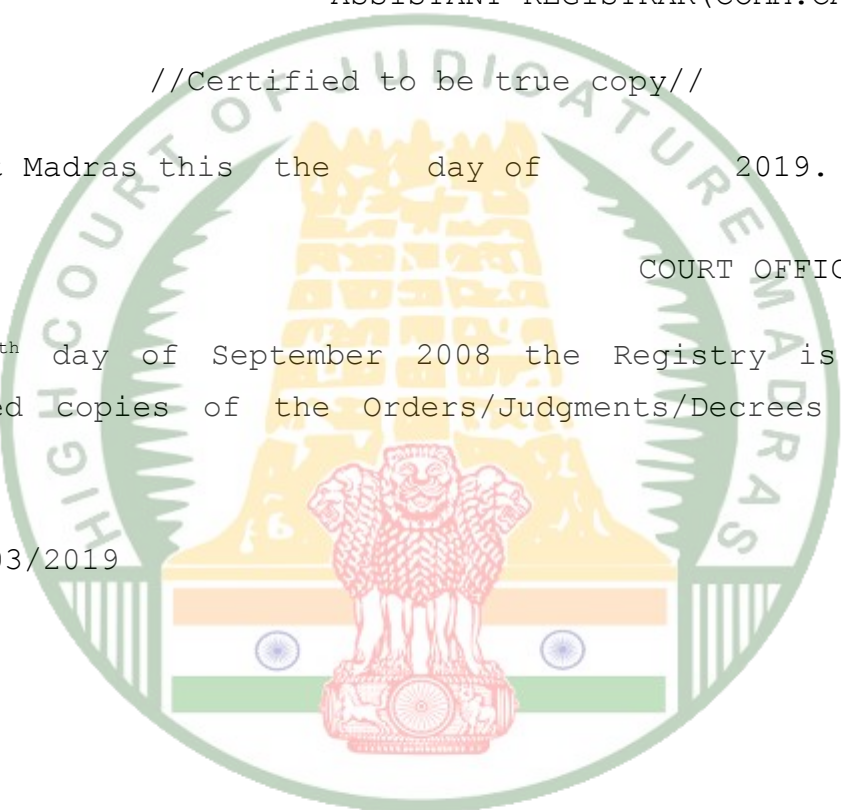
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Dated at Madras this the day of 2019.

COURT OFFICER (O.S.)

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THS/25/03/2019

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