



BEFORE THE MADRUAI BENCH OF MADRAS HIGH COURT
DATED : 16.08.2019

CORAM :

THE HONOURABLE MR. JUSTICE D.KRISHNAKUMAR

Cont.P.(MD)No.1061 of 2019

K.Thangaraju

... Petitioner

Vs.

1.Mr.Ponmudi
Managing Director,
The Management of Tamil Nadu State Corporation
(Kumbakonam) Ltd.,
Kumbakonam.

2.Mr.K. Gunasekaran (in charge),
General Manager,
Tamil Nadu State Transport Corporation
(Kumbakonam) Ltd.,
Karaikudi Region,
Karaikudi.

3.Mr. Venkatarajan,
Administrator,
Tamil Nadu State Transport Corporation Pension Fund Trust,
Thiruvalluvar Illam,
Pallavan Salai,
Chennai -2.

... Respondents

Prayer : Petition filed under Section 11 of the Contempt of Courts Act, 1971, to commit and punish the respondents for their wilful disobedience of the order passed by this Court in WP(MD). No.21553 of 2017, dated 28.02.2019.

Prayer in WP(MD).No.21553 of 2017:-

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 revise the pay of the petitioner in the post of Checking Inspector with retrospective effect from 04.05.2012 in terms of Government Order in G.O.Ms.No.61, Transport (C1) Department, dated 30.04.2015 and as per Settlement under Section 12 (3) of the ID Act, dated 13.04.2015 and further directing the respondents to pay the petitioner difference amount in his salary from 04.05.2012 to 31.03.2015 and to pay difference in his



retirement benefits including difference in monthly pension, Gratuity, leave salary, commuted value of pension and all other attendant benefits together with interest at the rate of 18% per annum.

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For Petitioner : Mr.A. Rahul
For Respondents : Mr. D. Sivaraman
Standing Counsel

ORDER

Alleging non-compliance of the order, dated 28.02.2019 made in WP(MD).No.21553 of 2017, the present contempt petition has been filed.

2. Pursuant to the order passed by this Court, dated 28.02.2019 made in WP(MD).No.21553 of 2017, the respondent has considered the representation of the petitioner and passed an order dated 10.07.2019 and the said copy of the order also served to the learned counsel for the petitioner.

3. Based on the said proceeding, dated 10.07.2019, the learned counsel appearing for the petitioner requested this court to direct the respondents to settle the above said amount, within a time frame to be fixed by this Court.

4. The learned Standing Counsel appearing for the respondent / Corporation would submit that based on the aforesaid proceeding, the respondent will settle the difference in gratuity amount of Rs.1,16,398/- and difference leave salary of Rs.46,597/-, within the time stipulated by this Court. He would further submit that insofar the other portion of the order is concerned, the respondent / Department has to take a decision, as stated in the said order.

5. Recording the aforesaid statement made by the learned Standing Counsel appearing for the respondent / Corporation, this Court, directs the respondent concerned to settle the aforesaid amount of Rs.1,16,398/- and Rs.46,597/- as expeditiously as possible, in any event, not later than 12 weeks from the date of receipt of a copy of this order.

6. In view of the compliance of the order passed by this Court in WP(MD).No.21553 of 2017, dated 28.02.2019, this Contempt Petition is closed.

Sd/-
Assistant Registrar(AS)

/TRUE COPY/

Sub Assistant Registrar



To

+1 CC to M/s.D.SIVARAMAN, Advocate (SR-82082[F] dated 16/08/2019)

+1 CC to M/s.A.RAHUL, Advocate (SR-82292[F] dated 19/08/2019)

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trp

JM/30.08.2019/3P/3C