



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 24.09.2019
CORAM

THE HONOURABLE MR.JUSTICE **S.S.SUNDAR**

WEB COPY

CONT.P. (MD) .No.799 of 2018
in
W.P. (MD) No.4556 of 2017

S.Devadoss

...Petitioner

Vs.

1.Mani,
Managing Director,
Tamilnadu State Transport Corporation
(Tirunelveli) Limited,
Tirunelveli Region, Tirunelveli.

2.Muniyappan,
Administrator,
Tamilnadu State Transport Employees'
Pension Fund Trust,
Thiruvalluvar Illam, Anna Salai, Chennai -2. ...Respondent

PRAYER: Contempt Petition filed under Section 11 of the Contempt of Courts Act, to punish the respondents for willfully disobeying and not complying with the order of this Court, dated 17.03.2017 in W.P. (MD)no.4556 of 2017.

Prayer in W.P.(MD)No.4556 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 pay the petitioner Rs.4,66,547/- towards gratuity and Rs.1,98,037/-towards leave salary, together with 18% interest per annum, along with interest amount towards the delayed payment of EPF Employee's Contribution Rs.3,99,950/- for the period from 31.12.13 to 12.07.2014 at the rate as per E.P.F. Scheme and further directing the respondents to pay him arrears of pension for the period from 01.01.14 by revising his pension together with 18% interest per annum, after calculating all his terminal / pension benefits based on the monthly wages payable to him on the month of his retirement i.e. December, 2013 by revising the same as per the settlement dated 13.04.2015, as ordered by Division Bench of this court in its order dated 29.01.16 in W.A. (MD)No.1457/15 and etc., batch.

For Petitioner	: Mr.S.Arunachalam
For R1	: Mr.K.Sathiya Singh
For R2	: Mr.A.Swaminathan



ORDER

As per the direction of this Court, dated 17.03.2017, the direction to settle the terminal benefits, will not preclude the workman to question the computation of any of the terminal benefits, if the same is paid lesser than the amount payable, to which the petitioner is entitled to receive. If the petitioner has any grievance that he is entitled to the interest for the amount already settled, it is open to him to agitate the same as per law.

2.In this case, it is admitted that the petitioner has received the terminal benefit. The learned Counsel for the petitioner would urge that some amount is due by way of refixing the pension. That may be separately agitated by him in the manner known to law either by filing a writ petition or by making a representation before the respondents.

3.Since compliance is accepted in terms of the order of this Court earlier, this contempt petition is closed.

Sd/-
Assistant Registrar(CS-III)

/TRUE COPY/

Sub Assistant Registrar

cmr

To

+1 CC to M/s.K.SATHIYA SINGH, Advocate (SR-89623[F] dated 26/09/2019)

CONT.P.(MD).No.799 of 2018
24.09.2019

JM/15.10.2019/2P/2C