



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.07.2019

CORAM:

THE HON'BLE MR.JUSTICE R.SURESH KUMAR

CONT.P(MD)No.1385 of 2018

in

WP. (MD) .No.23636 of 2016

N.Balasubramanian

... Petitioner

Vs.

1) Thiru.Periyakaruppan,
The General Manager,
Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
Karaikudi Region,
Karaikudi.

2) Thiru.Muniyappan,
The Administrator,
Tamil Nadu State Transport
Employees Pension Fund Trust,
Thiruvalluvar Illam,
Anna Salai, Chennai -2

... Respondents

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 05.12.2016 in W.P. (MD) No.23636 of 2016.

Prayer in WP(MD). 23636/ 2016 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, directing the 1st Respondent to pay the petitioner Rs.5,88,046/- towards Gratuity, together with 18% interest per annum and further directing the respondents to pay him Rs.2,66,097/- towards the Pension Commutation and also arrears of pension for the period from 01.03.14 by revising his pension, together with 18% interest per annum, after calculating all his terminal/pension based on the monthly wages payable to him on the month on his retirement i.e. February 2014 by revising the same as per the settlement dated 13.04.2015, as ordered by the Honourable Division Bench of this court in its order dated 29.01.2016 in WA(MD).No.1457/2015 and etc batch.



WEB COPY

For Petitioner : Mr.S.Arunachalam
For R1 : Mr.D.Sivaraman,
Standing Counsel
For R2 : Mr.A.Swaminathan

O R D E R

This Contempt Petition has been filed for the alleged disobedience of the orders passed by this Court made in W.P.(MD) No.23636 of 2016 dated 05.12.2016.

2. This Contempt Petition came up for hearing before me on an earlier occasion (i.e.) on 18.06.2019, where the learned standing counsel appearing for the first respondent submitted that the amount payable to the petitioner, as directed, has been calculated and paid. However, the learned counsel for the petitioner disputed the same.

3. Therefore, this Court on the said date directed both the parties to file their respective calculation memo. Accordingly, during the next hearing, a calculation memo was filed by the respondent side and thereafter, during three occasions, time was given to the revision petitioner to file their calculated memo and a last chance was also given when the petitioner asked time and further time was given till date.

4. Even today, when the case was taken up for hearing the petitioner has not filed any calculation memo which shows that the petitioner is being satisfied with the compliance made by the respondents. In that view of the matter, this Court feels that there is no willful disobedience on the part of the respondents against the orders passed by this Court in W.P.(MD) No.23636 of 2016 dated 05.12.2016.

5. In view of the same, no further order is required to be passed in this Contempt Petition. Accordingly, the Contempt Petition is closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar (CS)

sts

<https://hcservices.ecourts.gov.in/hcservices/>



To

1) Thiru.Periyakaruppan,
The General Manager,
Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
Karaikudi Region,
Karaikudi.

2) Thiru.Muniyappan,
The Administrator,
Tamil Nadu State Transport
Employees Pension Fund Trust,
Thiruvalluvar Illam,
Anna Salai, Chennai -2

+1 CC to M/s.A.SWAMINATHAN, Advocate (SR-77566[F] dated
25/07/2019)

+1 CC to M/s.D.SIVARAMAN, Advocate (SR-78041[F] dated 26/07/2019)

Order in
CONT.P(MD)No.1385 of 2018
Dated: 25.07.2019

JMN(31.12.2019) 3P : 5C