

IN THE HIGH COURT OF JUDICATURE AT MADRAS**DATED : 11.11.2020****CORAM :****THE HONOURABLE MR.JUSTICE P. VELMURUGAN****Contempt Petition No.3192 of 2014**

The State Transport and Transport
Corporation Retired Employees
Welfare Association
Rep.by its Secretary
2, Pallavan Salai, Chennai – 600 002.

... Petitioner

Vs.

1. Mr.Braj Kishore Prasad, I.A.S.,
The Secretary,
Government of Tamil Nadu
Transport (D) Department
Fort St.George, Chennai 600 009.

2. Mr. Shanmugam, I.A.S.,
Finance Department,
Govt.of Tamil Nadu
Fort St.George,
Chennai 600 009.

3. Mr.Rajendran
The Administrator
Tamil Nadu State Transport
Corporations Employees Pension
Trust, Thiruvallur Illam,
Chennai – 600 002.

4. Mr.P.Rajendran

The Managing Director
Metropolitan Transport
Corporation Ltd.,
Pallavan Salai,
Chennai 600 002.

5. Mr.T.Rangaraj

The Managing Director
State Express Transport
Corporation, Pallavan Salai,
Chennai – 600 002.

6. Mr.Swaminathan

The Managing Director
Tamil Nadu State Transport
Corporation (Villupuram) Ltd.,
Vazhuthareddy, Villupuram.

7. Mr.V.Babu

The Managing Director,
Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
Kumbakonam.

... Respondents

Contempt Petition filed under Section 11 of the Contempt of Court Act, praying to punish the respondents for the wilfull and deliberate disobedience and non-compliance to the order of the High Court in W.P.No.276 of 2006 dated 03.12.2012.

For Petitioner : No appearance

For Respondent : Mr.M.Elumalai
Addl. Govt. Pleader for R1 & R2
Mr.C.S.K.Sathish for R3 & R6
Mr.K.Moorthy for R4
Mr.K.Kathiresan for R5
Mr.D.Raghu for R7

ORDER

The present Contempt Petition has been filed by petitioner alleging non-compliance of the order of this Court passed in W.P.No.276 of 2006 dated 03.12.2012, in which this Court directed as follows:

“ 12. Since, already, the amendment is pending for approval before the Government, this Court is not inclined to give any finding regarding the validity or otherwise of the said Rule. But in the considered opinion of this Court, by the retrospective operation of this rule, the accrued right of the petitioners to receive pension cannot be taken away. Consequently, the respondents are directed to extend the benefit of pension for those who went on voluntary retirement between and 01.09.1998 and 15.12.2000. This view is expressed in view of the fact that based on the Rule in question. If the voluntary retirement offered by them had been cancelled and they had been taken back to work, then they would have earned their livelihood. But, pension has been denied to them while voluntary retirement offered has been allowed to continue”.

2. Heard the learned Additional Government pleader appearing for the

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respondents 1 & 2 and the learned counsel appearing for the respondents 3

to 7.

3. Today, when the Contempt Petition is taken up for consideration, the learned Additional Government Pleader appearing for the respondents 1 & 2 and the learned counsel appearing for the respondents 3 to 7 submitted that the above said order of this Court has been complied with by the respondents herein. In proof of which, counter affidavit has been filed by the respondents herein and the same has been produced before this Court. This Court had also gone through the same.

4. Since the said order of this Court has been complied with by the respondents, nothing further survives for adjudication in this Contempt Petition, which is accordingly closed. No costs.

SD/-

ASSISTANT REGISTRAR(COMM.CASES)

dpq

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

from 25th day of September 2008 the Registry is issuing Certified copies of the Orders/Judgments/Decrees in this format.

SMI/30/12/2020

To

1. The Secretary,
Government of Tamil Nadu
Transport (D) Department
Fort St.George, Chennai 600 009.

2. The Secretary,
Finance Department,
Govt.of Tamil Nadu
Fort St.George,
Chennai 600 009.

3. The Administrator
Tamil Nadu State Transport
Corporations Employees Pension
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