



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.02.2020

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

Cont P(MD)No.1817 of 2019

R.Ekambaram

... Petitioner/Petitioner

Vs.

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

2.Mr.A.Arumugam,
The General Manager,
The Tamil Nadu State Transport
Corporation (Kumbakonam) ltd.,
Kumbakonam Region,
Kumbakonam.

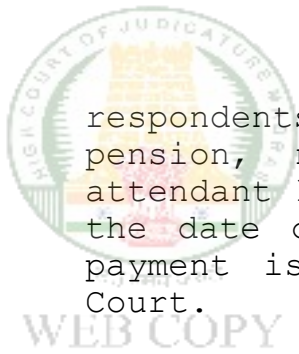
3.Mr.V.Venkatarajan,
The Administrator,
Tamil Nadu State Transport Corporation,
Pension Fund Trust,
Thiruvalluvar Illam,
Pallavan Salai,
Chennai-2.

... Contemnors/Respondents

Prayer: Contempt Petition is filed under Section 11 of the Contempt of Courts Act, 1971, to punish the Contemnors/Respondents for their willful disobedience of the order passed by this Hon'ble Court in W.P(MD)No.1060 of 2019, dated 22.01.2019.

Prayer in WP(MD). 1060/ 2019 :

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 petitioners scale of pay in the post of Checking Inspector from the scale of pay of Rs.5200-20200+2400/- to the scale of pay of Rs.9300-34800+4300/- with effect from 24/12/2012 in terms of settlement signed under the section 12(3) of the ID Act dated 04/01/2018 and to direct the



respondents to pay him the difference in gratuity, commuted value of pension, monthly pension, earned leave salary and all other attendant benefits with interest at the rate of 18% per annum from the date of his retirement to till the date on which the actual payment is made within the time that may be stipulated by this Court.

For Petitioner : Mr.A.Rahul
For R1 & R2 : Mr.D.Sivaraman
For R3 : Mr.A.Swaminathan

ORDER

By order, dated 22.01.2019 the respondents were directed to consider the representation of the petitioner in terms of 12(3) Settlement, dated 04.01.2018. In compliance with the same, though belatedly, the General Manager of the Transport Corporation has informed the petitioner that he is not entitled to revision of gratuity, leave salary and commutation with retrospective effect. Since the direction is only to consider the representation of the petitioner and the same has been considered in a particular manner, I do not think I can go into the question as to whether the interpretation placed by the respondents on the 12(3) Settlement is right or wrong in this contempt proceedings. Hence, this contempt petition is closed, leaving it open to the petitioner to challenge the correctness interpretation placed by the respondents on the 12 (3) Settlement dated 04.01.2018.

Sd/-

Assistant Registrar (Records)

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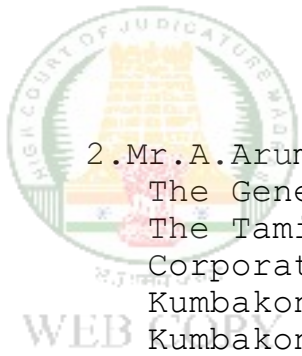
/ /2020

Sub Assistant Registrar (CS)

am

To

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



2.Mr.A.Arumugam,
The General Manager,
The Tamil Nadu State Transport
Corporation (Kumbakonam) ltd.,
Kumbakonam Region,
Kumbakonam.

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

+1 CC to M/s.D.SIVARAMAN, Advocate (SR-5449[F] dated 10/02/2020)

+1 CC to M/s.A.RAHUL, Advocate (SR-5537[F] dated 11/02/2020)

Cont P(MD)No.1817 of 2019
10.02.2020

JMN(19.02.2020) 3P : 6C