



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.02.2020

CORAM :

THE HONOURABLE MR.JUSTICE M.S.RAMESH

Contempt Petition(MD) No.1759 of 2019

in

W.P. (MD) No.10746 of 2019

K.Sundaralingam

Petitioner/Petitioner

Vs

1. Anusham,
General Manager,
Tamil Nadu State Transport Corporation,
Head Office, Kumbakonam,
Thanjavur District.

2. Albert Rabera Babu,
Deputy Manager,
Personal Accounts Section,
Tamil Nadu State Transport Corporation,
Head Office, Kumbakonam,
Thanjavur District.

3. Susila,
Assistant Manager (Labour),
(Kumbakonam Limited),
Tamil Nadu State Transport Corporation,
Head Office, Kumbakonam,
Thanjavur District.

Contemnors/Respondents

PRAYER: Contempt petition filed under Section 11 of the Contempt of Courts Act, praying to punish the contemnors/respondents for their wilful disobedience of the order of this Court in W.P.(MD) No.10746 of 2019 dated 29.04.2019.

Prayer in WP(MD). 10746/ 2019 :

Writ Petition filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, directing the respondents to disburse the retirement and other benefits to the petitioner in the light of the settlement entered on 04.01.2018 under section 12(3) of the Industrial Dispute Act based on the G.O.Ms.No. 160 of Transport Department dated



For Petitioner : Mr.A.Rajkumar Sen

For Respondents : Mr.D.Sivaraman
Standing Counsel

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O R D E R

Mr.Albert Rabera Babu,the Deputy Manager of Tamil Nadu State Transport Corporation, Personal Accounts Section, Kumbakonam is present, pursuant to the Statutory Notice issued by this Court.

2. Though the order of this Court was a direction to the respondents to settle the terminal benefits in twelve equal monthly installments, to day when the matter was called, the learned Standing counsel for the respondents had produced a cheque towards full and final settlement of the terminal benefits, including the interest thereon, at the rate of 6% per annum. The said cheque bearing No.317109 dated 19.02.2020 in favour of the petitioner, has been handed over to the counsel for the petitioner and the same is hereby recorded.

3. This Court is of the view that the alleged disobedience cannot be termed as willful. Hence, this Contempt Petition stands closed.

4. In case, the petitioner is of the view that the payment tendered today is not a full and final settlement of his terminal benefits, it is open to the petitioner to work out his remedies, in accordance with law.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

To

1. The General Manager,
Tamil Nadu State Transport Corporation,
Head Office, Kumbakonam,
Thanjavur District.

2. The Deputy Manager,
Personal Accounts Section,
Tamil Nadu State Transport Corporation,
Head Office, Kumbakonam,
Thanjavur District.



3. The Assistant Manager (Labour),
(Kumbakonam Limited),
Tamil Nadu State Transport Corporation,
Head Office, Kumbakonam,
Thanjavur District.

+1 CC to M/s.D.SIVARAMAN, Advocate (SR-7854[F] dated 24/02/2020)

Contempt Petition(MD) No.1759 of 2019

in

W.P.(MD) No.10746 of 2019

21.02.2020

vrn

AE (09.03.2020) 3P 5C