



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.01.2020

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

Cont P(MD)Nos.1811 & 1812 of 2019

WEB COPY

K.V.Nagarajan

... Petitioner/Petitioner
in Cont.P(MD)No.1811 of 2019

R.Selvaraj

... Petitioner/Petitioner
in Cont.P(MD)No.1812 of 2019

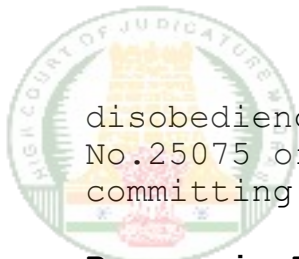
Vs.

1. B.Chandramohan
The Chairman of STUs
And the Principal Secretary to Government,
Government of Tamil Nadu,
Transport Department,
Fort St., George,
Chennai-600 009.
2. Ponmudi,
The Managing Director,
Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Corporate Office, No.27 New Railway Station Road,
Kumbakonam 612 001.
3. Venkatraj,
The Chief Financial Officer,
Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Corporate Office, No.27 New Railway Station Road,
Kumbakonam 612 001.
4. Bama,
The Administtrar,
Tamil Nadu State Transport Corporation Employees
Pension Trust, Thiruvalluvar Illam, SETC Ltd.,
Tamil Nadu Office,
Pallavan Salai, Chennai-600 002.
5. K.Senthil,
The General Manager,
Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Regional Office, Mrudhu Pathi,
Managiri Post,
Sivagangai District.

... Contemnors/Respondents
in both Contempt Petitions

Prayer: Contempt Petitions filed under Section 11 of the Contempt of Courts Act, 1971, to punish the respondents for the willful

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



disobedience and non-compliance of the orders passed in W.P(MD) No.25075 of 2018 and W.P.(MD)No.25070 of 2018, dated 20.12.2018 for committing the act of contempt of Court.

Prayer in WP(MD) . 25075 / 2018 :

WEB COPY

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue Writ of Mandamus directing the respondents to revise the pension benefits and other terminal benefits as per the Revised Basic Pay like Commutation and Leave Salary etc., and as per Hon ble Court direction interest on Commutation amount and Leave Salary amount for its delayed payment, with interest at the rate of 12% per annum payable from the date of retirement of the petitioner till the date of disbursement of the said monetary benefits based on the recommendation of the 7th pay commission, the TamilNadu Revision Scales of pay Rules, 2017 and as per the G.O.Ms.No.134 Transport(D) Departmet dated 09.04.2018.

Prayer in WP(MD) . 25070/ 2018 :

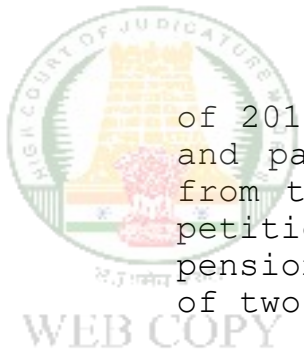
Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Mandamus directing the respondents to revise the pension benefits and other terminal benefits as per the Revised basic pay like commutation and leave salary etc. and as per Honourable Court direction interest on commutation amount and Leave salary amount for its delayed payment , with interest at the rate of 12% per annum payable from the date of retirement of the petitioner till the date of disbursement of the said monetary benefit based on the recommendation of the 7th pay commission, the TamilNadu Revised Scales of pay Rules, 2017 and as per the G.O.Ms.No.134 Transport(D) Department dated 09.04.2018.

For Petitioners : Mr.R.Saravanan
For R1 : Mr.N.Shanmuga Selvam
Additional Government Pleader
For R2, R3 & R5 : Mr.D.Sivaraman
For R4 : Mr.A.Swaminathan

COMMON ORDER

The Writ petitions in W.P(MD)No.25075 of 2018 and W.P.(MD)No.25070 of 2018 were disposed of on 20.12.2018 with the following directions:-

"3.In view of the same, there will be a direction to the respondents to consider the representation of the petitioner seeking revision dated 21.11.2018 in the light of the G.O.Ms.No.134, Transport (D) Department, dated 09.04.2018 and the order of this court in W.P(MD)Nos.21025



of 2018 and 22337 of 2018, dated 23.10.2018 and 01.11.2018 and pass orders thereon, within a period of eight weeks from the date of receipt of a copy of this order. If the petitioner is found entitled to the revision, the revised pension and arrears shall be paid to him, within a period of two months thereafter."

2. Pursuant to the same, the respondent/Corporation had paid the difference in leave salary as well as the salary arrears. However, the fourth respondent viz., the Pension Trust has passed an order expressing its disability to consider the request of the petitioners in view of the fact that the recommendations made by the Pension Trust are pending with the Government. The order dated 20.12.2018 only directs the respondents to consider the representation. The respondents have considered the representation and passed orders. Hence, there cannot be a contempt. Leaving it open to the petitioners to challenge the orders passed by the respondents, these contempt petitions are closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

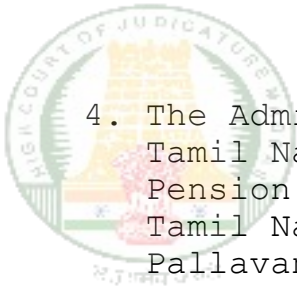
/ /2020

Sub Assistant Registrar(CS)

Am

To

1. The Chairman of STUs
And the Principal Secretary to Government,
Government of Tamil Nadu,
Transport Department,
Fort St., George,
Chennai-600 009.
2. The Managing Director,
Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Corporate Office, No.27 New Railway Station Road,
Kumbakonam 612 001.
3. The Chief Financial Officer,
Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Corporate Office, No.27 New Railway Station Road,
Kumbakonam 612 001.



4. The Administarar,
Tamil Nadu State Transport Corporation Employees
Pension Trust, Thiruvalluvar Illam, SETC Ltd.,
Tamil Nadu Office,
Pallavan Salai, Chennai-600 002.

WEB COPY

5. The General Manager,
Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Regional Office, Mrudhu Pathi,
Managiri Post, Sivagangai District.

+1 CC to Mr.D.SIVARAMAN, Advocate (SR-762[F] dated 08/01/2020)

+2 CC to Mr.R.SARAVANAN, Advocate (SR-875[F] dated 08/01/2020)

+1 CC to SPL.GP, SR-1008&1010

Cont P(MD)Nos.1811 & 1812 of 2019

08.01.2020

MK (27.01.2020) 4P 10C