



Cont.P.No.1313 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.12.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

Cont.P.No.1313 of 2018

N.Kandasamy,
Driver, D.R.No.3553,
Johnsonpet Branch II,
TamilNadu State Transport Corporation,
Salem

... Petitioner

-Vs-

1.Thiru Pandi,
The Managing Director,
Tamil Nadu State Transport
Corporation,
[Salem Division-1] Ltd.,
No.12, Ramakrishna Salai,
Salem 636 007.

2.Thiru.Shanmugasundaram,
The General Manager,
Tamil Nadu State Transport
Corporation (Salem) Limited,
[Salem Division-1] Ltd.,
No.12, Ramakrishna Salai,
Salem 636 007.

... Respondents

PRAYER: Petition filed under Section 11 of the Contempt of Courts Act, for the act of contempt in disobeying the common orders dated 15.04.2016 of this Court passed in W.P.No.14045 of 2016.

For Petitioner : Mr.P.M.Subramanian for
M/S.S.Girija

For Respondents : Mr.S.Silambanan,
Additional Advocate General
assisted by Mr.D.Raghu



ORDER

WEB COPY This contempt petition is filed seeking to punish the respondents herein for disobeying the orders of this Court passed in W.P.Nos.14045 of 2016, dated 15.04.2016.

2. Pursuant to the orders of this Court passed in W.P.Nos.14027 to 14047 of 2016, dated 15.04.2016, the learned Additional Advocate General appearing for the respondents would submit that the first respondent herein has filed a common counter affidavit, in which, it is stated that the pensioners namely Mr.D.Subramaniam and Mr.R.Mahalingam have already been paid their permanent regular pension and the remaining 17 pensioners would be paid their regular pension similar to that of these two retired pensioners. The relevant portion in paragraph 12 reads as follows:-

"It is submitted that the Respondent Management hereby undertakes to issue Permanent Pension Payment Orders and pay the Permanent Regular Pension to the remaining 17 contempt petitioners, as and when they attain superannuation, as they are fully eligible to receive the Regular pension, similar to that of two retired employees viz Mr.D.Subramanian and R.Mahalingam, who had now been paid their Permanent Regular Pension by issuance of

Permanent Pension Payment Orders by the Respondents in the present Contempt proceedings."

3. In view of these orders passed by the respondents, the learned counsel for the petitioner would submit that they have no further grievances, which they intend to agitate.

4. In view of the submissions of the learned Additional Advocate General, as well as the learned counsel for the petitioner, the disobedience alleged in the present contempt petition cannot be termed to be 'willful' in nature. Accordingly, the contempt petition stands closed.

5. At this juncture, the learned Additional Advocate General would submit that disbursement of the pension arrears would be made to Mr.D.Subramaniam and Mr.R.Mahalingam on or before 23.12.2021. The said submission is hereby recorded.

SD/-

ASSISTANT REGISTRAR(COMM.CASES)

ata/hvk

//Certified to be true copy//

Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)

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GS/08/03/2022

WEB COPY

- To
- 1.The Managing Director,
Tamil Nadu State Transport
Corporations (Salem) Limited,
No.12, Ramakrishna Road,
Salem 636 007.
 - 2.The General Manager,
Tamil Nadu State Transport
Corporation)Salem) Limited,
No.12, Ramakrishna Road,
Salem 636 007.