



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.01.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Contempt Petition No.1029 of 2020

R.Anandhan,
No.55, Mariayamman Kovil Street,
Annai Sathya Nagar,
Orikkai Kancheepuram Taluk & District – 631 501 : Petitioner

VS.

1. Mr.Muthukrishnan
The Managing Director,
Tamil Nadu State Transport Corporation (Villupuram) Limited,
Vazhuthareddy,
Villupuram – 605 602.
2. Mr.Arjunan,
The General Mangaer,
Tamil Nadu State Transport Corporation (Villupuram) Limited,
Kancheepuram Region,
Kancheepuram.
3. Mr.Durairaj
The Administrator,
Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare Fund Scheme,
Thiruvalluvar House, Pallavan Salai,
Chennai – 600 002. : Respondents

PRAYER: Petition filed under Section 11 of the Contempt of Courts Act, to
punish the respondents for willful disobedience of the order passed by this Court in
W.P.No.1993 of 2020 dated 21.02.2020 as per the Contempt of Court Act and pass



such further or other orders as this Court may deem fit and proper in the circumstances of this case.

For Petitioner : Mr.N.Desinghu

For Respondent : Mr.C.S.K.Sathish
Standing Counsel

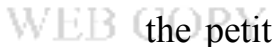
ORDER

Pursuant to the orders passed by this Court, both the petitioner as well as the respondents have filed a calculation memo. According to the petitioner, the respondent Corporation has to pay the following amount and the tabular column is extracted hereunder:

ELIGIBLE BENEFITS AND AMOUNTS

SL.No	NAME OF BENEFITS	AMOUNTS
1.	Provident Fund	Rs.1,29,712/-
2.	Gratuity	Rs.3,93,766/-
3.	Commutation	Rs.3,24,661/-
4.	Earned Salary	Rs. 34,150/-
5.	EWS	Rs. 21,930/-
	Total Eligible Amounts	Rs.9,04,219+Interest @ 6%

2.The learned counsel for the petitioner submitted that the respondent Corporation is willing to pay only a sum of Rs.2,82,559/- and the same is in violation of the orders passed by this Court on 21.02.2020.



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petitioner and the respondent Corporation has taken a stand that the amount recoverable will be deducted and only balance amount will be paid with interest.

According to the petitioner, such a recovery cannot be made after retirement.

6.This is a disputed question of fact into which this Court cannot go into in this contempt petition. In the present case, this Court is only concerned with the issue as to whether the respondent Corporation has willfully and wantonly violated the orders passed by this Court. This Court while undertaking such an exercise, cannot go into disputed question of facts and it is something to be independently agitated by the petitioner, if he is aggrieved by the same.

7.In view of the above, it is left open to the petitioner to receive the amount of Rs.2,96,075/- without prejudice to his right to question the balance amount that has been withheld by the respondent Corporation, in the manner known to law. Except giving this liberty, no further orders can be passed in this contempt petition and accordingly this contempt petition is closed.

SD/-

ASSISTANT REGISTRAR(COMM.CASES)

SSR

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

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