



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 25.01.2021**

**CORAM:**

**THE HONOURABLE MR.JUSTICE M.S.RAMESH**

**CONT.P.(MD)No.57 of 2021**

S.A.John

... Petitioner/Petitioner

/vs./

1) Mr.C.K.Raghavan,  
The General Manager,  
Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,  
Karaikudi Region,  
Maruthupathi, Karaikudi,  
Sivagangai.

2) Mrs.Bama,  
The Administrator,  
Tamil Nadu State Transport  
Corporation Pension Fund Trust,  
Thiruvalluvar Illam, Pallavan Salai,  
Chennai 600 002 ... Contemnors/Respondents

**PRAYER:** Contempt Petition is filed under Section 11 of the Contempt of Court Act, 1971, to punish the Contemnors/respondents herein for willfully disobeying and non-complying with the order of this Court dated 30.01.2020 in W.P.(MD) No.1815 of 2020.

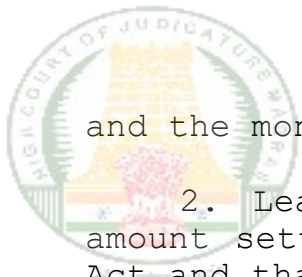
Prayer in WP(MD). 1815/ 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court Directing the respondents to settle the petitioners retirement benefits including gratuity, commutation of pension, arrears of monthly pension from 31-03-2015 till the date of realization of amount as per the settlement dated 13-04-2015 under section 12(3) of ID Act 1947 w.e.f. 01-09-2013 payable to him with 18 percent rate of interest within the time they may be stipulated by this Honourable Court.

For Petitioner : Mr.G.M.Xavier  
For 1<sup>st</sup> Respondent : Mr.P.Balasubramanian

**O R D E R**

Pursuant to the orders of the Writ Court passed in W.P.(MD) No.1815 of 2020 dated 30.01.2020, a direction was issued to the respondents to consider the petitioner's representation dated 19.12.2019 in terms of the settlement under Section 12 (3) of the Industrial Disputes (I.D.) Act, 1947 within a stipulated time. The learned standing counsel for the first respondent submitted that the petitioner's representation dated 19.12.2019 was considered in terms of the settlement under Section 12(3) of the I.D. Act on 20.05.2020



and the monetary benefits were despatched on 26.05.2020.

2. Learned counsel for the petitioner would submit that the amount settled is not in terms of the 12(3) settlement of the I.D. Act and that they are entitled for further amount.

3. In case, the petitioner disputes the quantum of the settlement, it cannot be termed as a disobedience of the orders of this Court, but rather it could give rise to fresh cause of action to challenge the payment made or claim for further monetary benefits.

4. In this connection, the petitioner is granted liberty to make the further alleged claim of the monetary benefits in accordance with law. With the above liberty, the contempt petition stands closed.

Sd/-

Assistant Registrar ( )

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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**Note :** In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate / litigant concerned.

To:

- 1) Mr.C.K.Raghavan,  
The General Manager,  
Tamil Nadu State Transport  
Corporation (Kumbakonam) Ltd.,  
Karaikudi Region,  
Maruthupathi, Karaikudi, Sivagangai.
- 2) Mrs.Bama,  
The Administrator,  
Tamil Nadu State Transport  
Corporation Pension Fund Trust,  
Thiruvalluvar Illam, Pallavan Salai, Chennai 600 002

+1 CC to M/s.P.BALASUBRAMANIAN, Advocate ( SR-2066[F] dated 25/01/2021 )

CONT.P.(MD) No.57 of 2021  
25.01.2021

SJ(CO)

KB(25.02.2021) 2P 4C

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