



WEB COPY

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

**DATED: 20.10.2021**

**CORAM**

**THE HON'BLE MR.JUSTICE R.SURESH KUMAR**

**CONT P(MD)No.791 of 2021**

**in**

**W.P. (MD) .No.13286 of 2018**

**and**

**SUB APPLICATION(MD)No.268 of 2021**

M.Sherfudeen

.. Petitioner/Petitioner

Vs.

1.Selva Gomathi Kumar,  
The General Manager,  
Tamilnadu State Transport Corporation (Madurai) Ltd.,  
Madurai Region,  
Madurai.

2.Muniyappan,  
The Administrator,  
Tamil Nadu State Transport Employees' Pension Fund Trust,  
Thiruvalluvar Illam,  
Anna Salai,  
Chennai-2.

.. Contemnors/Respondents

Contempt Petition is filed under Section 11 of Contempt of Courts Act, 1971, to punish the respondents/contemnors for willfully disobeying and not complying with the order passed by this Court, dated 22.06.2018 in W.P.(MD).No.13286 of 2018.

**Prayer in WP(MD) . 13286/ 2018 :**

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue Writ of Mandamus directing the 1st respondents to pay the petitioner all his terminal benefits namely EPF Employee's Contribution, Gratuity and Encashment of Leave and etc., forthwith together with 18% interest per annum, and further directing the respondents to pay his Pension and commutation of pension, along with arrears of the same from the month of May, 2018 forthwith, under TNSTCE Pension Fund Rules, together with 18% interest per annum, within a time frame as may be fixed by this court.

|                 |                         |
|-----------------|-------------------------|
| For Petitioner  | : Mr.S.Arunachalam      |
| For Respondents | : Mr.J.Senthilkumaraiah |
|                 | Standing Counsel        |

**ORDER**

The petitioner has come up with this petition alleging that the respondents have committed contempt by not complying with the order of this Court made in W.P.(MD).No.13286 of 2018, dated 22.06.2018.



2.In the said order, a direction was given to the respondents to settle the retiral benefits of the petitioner in twelve equal installments with interest.

3.Pursuant to the same since the said retiral benefits have not been paid, this contempt petition was moved.

4.When this contempt petition is taken up for hearing, Mr.J.Senthilkumaraiah, learned standing counsel appearing for the respondents would submit that, as per the calculation, the retiral benefits payable to the petitioner without interest is Rs.17,39,126/-, which had already been paid to the petitioner, however, the interest for the belated payment has not been paid, therefore, in order to calculate the interest for the belated payment and to pay the same, if four weeks time is granted, that will also be settled, he contended.

5.Mr.S.Arunachalam, learned counsel appearing for the petitioner also has not disputed the aforesaid statement that the petitioner has received the principal retiral benefits to the extent of Rs.17,39,126/- and he submits that only the interest payable for the belated payment of the retiral benefits alone to be settled to the petitioner.

6.In that view of the matter, the respondents are given four weeks time to pay the interest for the belated payment of the retiral benefits for the said amount as referred to above to the petitioner after calculating the same, and if no such payment is made within four weeks time, it is open to the petitioner to revive this contempt.

7.With these conditions, this contempt petition is closed for the present. Consequently, connected Sub Application (MD).No.268 of 2021 is closed.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

PJL

**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.

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



To

1.Thiru.Selva Gomathi Kumar,  
The General Manager,  
Tamilnadu State Transport Corporation (Madurai) Ltd,  
Madurai Region,  
Madurai.

2.Thiru.Muniyappan,  
The Administrator,  
Tamil Nadu State Transport Employees' Pension Fund Trust,  
Thiruvalluvar Illam,  
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SRK(CO)  
GC/JC(15.11.2021) 3P 3C