



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

Cont.P. (MD) No.628 of 2020

in

W.P. (MD) No.25968 of 2019

R.Ganesan

... Petitioner/Petitioner

-VS-

1.Murugesan

The Managing Director
Tamil Nadu State Transport Corporation Ltd.,
Madurai Division, Bye Pass Road
Madurai-625 016

2.Bhama

Administrator
Tamil Nadu State Transport Corporation
Employees Pension Fund Trust
Thiruvalluvar Illam
Pallavan Salai, Chennai-600 002 ... Contemnors/Respondents

PRAYER: Contempt Petition is filed under Section 11 of the Contempt of Courts Act praying to commit and punish the contemnors / respondents for their willful disobedience of the order passed by this Court in W.P.(MD) No.25968 of 2019, dated 05.12.2019.

Prayer in WP(MD). 25968 of 2019 :

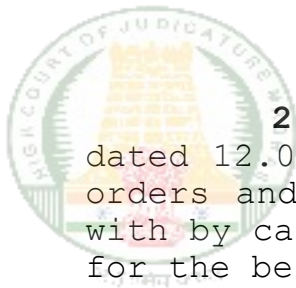
Writ Petition is filed under Article 226 of the Constitution of India, praying this Court directing the respondent to pay 18 percent interest for the belated payment of terminal benefits of P.F.Gratiuity, Commutation and Unavailed Leave Salary, Payable to the petiitoner from the date of his retirement ie., 31/05/2018 to till the date of actual payment made to him and all other attendant benefits within the stipulated period.

For Petitioner : Mr.A.Rahul

For Respondents : Mr.J.Senthil Kumaraiah

O R D E R

This contempt petition has been filed alleging wilful disobedience of the order, dated 05.12.2019, made in W.P.(MD) No.25968 of 2019.



2. Today when the matter is taken up for hearing, a Memo dated 12.08.2021 has been filed by the respondents stating that the orders and directions issued by this Court have been duly complied with by calculating the penalty interest at the rate of 6% per annum for the belated payment of the terminal benefits to the petitioner.

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3. The learned counsel appearing for the petitioner has disputed the rate of interest for the belated payment.

4. This Court is of the view that such a dispute cannot be decided in a contempt petition and it has to be challenged before the appropriate Forum in the manner known to law.

5. In view of the above position, the contempt petition is closed with liberty to the petitioner to workout his remedies regarding interest for the belated payment of terminal benefits before the appropriate Forum in the manner known to law.

Sd/-

Assistant Registrar (CS-III)

// 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

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