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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Friday, the Seventeenth day of September Two Thousand and Twenty One
PRESENT

The Hon`ble Mr. Justice D. KRISHNAKUMAR

Sub Application (MD) No.180 of 2021

in

Cont.P.(MD) No.564 of 2021

P. THIRUVAMBALAM PILLAI, MANAGING DIRECTOR,
TAMIL NADU STATE TRANSPORT CORPORATION (MADURAI) LTD.,
MADURAI-10. ... PETITIONER/1ST CONTEMNOR/1ST RESPONDENT

Vs

1 U. KARIKALAN ... 1ST RESPONDENT/PETITIONER/PETITIONER

2 BAMA,
ADMINISTRATOR,
THE TAMIL NADU STATE TRANSPORT EMPLOYEE PENSION FUND TRUST,
THIRUVALLUVAR ILLAM, ANNA SALAI, CHENNAI-2 ... 2ND RESPONDENT/
2ND CONTEMNOR/2ND RESPONDENT

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to grant six months time for reporting compliance of the order made in W.P.(MD).No.1552 of 2020 dated 27.01.2020 passed by this Hon`ble Court.

Prayer in CONT P(MD). 564 of 2021 :

To punish the contemnors/Respondents for wilfully disobeying and not complying with the order of this Honble Court dated 27-01-2020 in W.P(MD).No. 1552 of 2020.

Prayer in WP(MD). 1552 of 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, for issuance of Writ of mandamus, to direct the respondents to pay interest at the rate of 18 percent per annum, for the period of delay from 01/07/2018 to 21/09/2019 in paying the amounts paid towards the terminal and pension benefits of the petitioner namely EPF Employees Contribution, Gratuity, Encashment of Earned / Sick Leaves and Commuted Value of Pension, within a time frame as may be fixed by this Court and without affecting his right to claim balance amounts towards those benefits.

ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of MR.J.SENTHIL KUMARAIAH, Advocate for the petitioner and of MR.S.ARUNACHALAM, Advocate on behalf of the Respondent, the court made the following order:-



This sub application has been filed by the Transport Corporation seeking extension of time of six months for reporting compliance of the order dated 27.01.2020 passed in W.P.(MD) No.1552 of 2020 by this Court.

2. Mr.J.Senthil Kumaraiah, learned Standing Counsel appearing for the Transport Corporation, submitted that due to hefty financial crisis meted out by the Transport Corporation on account of COVID-19 lockdown since 24.03.2020, the terminal benefits of the retired employees could not be settled in time. However, despite the cruel situation, the Management is taking effective steps to settle the retirement benefits to the employees. Therefore, the learned Standing Counsel seeks for six months time to comply with the orders and directions issued by this Court in the writ petition.

3. The learned counsel appearing for the respondent / writ petitioner has not raised any serious objection for the above submission of the learned Standing Counsel, however, he would submit that the respondent / writ petitioner is in urgent need of money for catering to the needs of his family and hence, a reasonable time may be granted to the Transport Corporation to settle the terminal benefits.

4. Taking into consideration the submissions made by the learned counsel on either and also the facts and circumstances of the case, time is extended till 22.10.2021 so as to enable the Transport Corporation to comply with the orders and directions issued by this Court.

5. Post the contempt petition on 22.10.2021.

6. Accordingly, this sub application is ordered.

Sd/-

17/09/2021

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/ /2021

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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.P.THIRUVAMBALAM PILLAI,

MANAGING DIRECTOR,

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

TAMIL NADU STATE TRANSPORT CORPORATION (MADURAI) LTD.,
MADURAI-10.



2 MRS.BAMA,
ADMINISTRATOR,
THE TAMIL NADU STATE TRANSPORT EMPLOYEE PENSION FUND TRUST,
THIRUVALLUVAR ILLAM, ANNA SALAI, CHENNAI-2

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ORDER
IN
SUB A(MD) No.180 of 2021
in
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Date :17/09/2021

VB/PN/SAR.II/22.09.2021/3P/3C