



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

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

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The Hon`ble Mr.Justice D.KRISHNAKUMAR

SUB APPLICATION (MD) No.234 of 2021
IN
CONT.P (MD) No.641 of 2021

GANESAN
THE GENERAL MANAGER,
TAMIL NADU STATE TRANSPORT CORPORATION (MADURAI) LTD,
DINDIGUL REGION,
DINDIGUL. ... PETITIONER/1st CONTEMNOR/1st RESPONDENT

Vs

1 T.GARMEL ... 1st RESPONDENT/PETITIONER/PETITIONER

2 BHAMA
THE ADMINISTRATOR,
TAMIL NADU STATE TRANSPORT EMPLOYEE'S PENSION FUND TRUST,
THIRUVALLUVAR ILLAM,
ANNA SALAI,
CHENNAI-2. ... 2nd RESPONDENT/2nd CONTEMNOR/2nd RESPONDENT

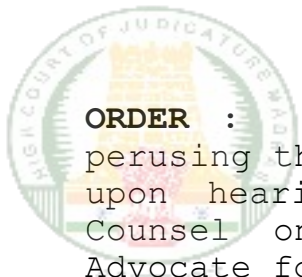
Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to grant six months time for reporting compliance of the order made in WP(MD)No.1683 of 2020 dated 29.01.2020 passed by this Hon'ble Court.

Prayer in CONT P(MD)No.641/ 2021 :

To punish the Contemnors/ Respondents for willfully, disobeying and not complying with the order of this Hon'ble Court dated 29.01.2020 in WP(MD).No.1683 of 2020.

Prayer in WP(MD)No.1683/ 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% per annum, for the period of delay from 01.06.2018 to 21.09.2019, in paying the amounts paid towards the terminal and pension benefits of the petitioner namely EPF Employee's Contribution, Gratuity, Encashment of Earned /Sick Leaves and Commutated 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 KUMARAI AH, Standing Counsel on behalf of the Petitioner and of Mr.S.ARUNACHALAM, Advocate for the 1st Respondent, the court made the following order:-

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This sub application has been filed by the Transport Corporation seeking extension of time of six months for reporting compliance of the order dated 29.01.2020 passed in W.P.(MD) No.1683 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, 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 side 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. If the order is not complied within the aforesaid time, statutory notice shall be issued against the concerned respondent.

5. Post the contempt petition on 22.10.2021.

6. Accordingly, this sub application is ordered.

sd/-

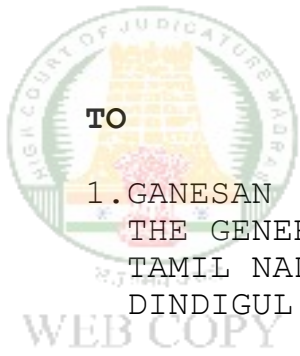
24/09/2021

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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. GANESAN
THE GENERAL MANAGER,
TAMIL NADU STATE TRANSPORT CORPORATION (MADURAI) LTD,
DINDIGUL REGION, DINDIGUL.

2. BHAMA
THE ADMINISTRATOR,
TAMIL NADU STATE TRANSPORT EMPLOYEE'S PENSION FUND TRUST,
THIRUVALLUVAR ILLAM,
ANNA SALAI,
CHENNAI-2.

ORDER

IN

SUB APPLICATION (MD) No. 234 of 2021
IN

CONT. P (MD) No. 641 of 2021

Date : 24/09/2021

SA/SKN/SAR.4/04.10.2021/3P/3C