



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

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

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PRESENT

The Hon`ble Mr.Justice D.KRISHNAKUMAR

SUB A(MD) No.228 of 2021
in
Cont.P.(MD) No.652 of 2021

GANESAN

... PETITIONER/ 1st CONTEMNOR/
1st RESPONDENT

Vs

1 S.JOSEPHRAJ XAVIER

... 1st RESPONDENT/ PETITIONER/
PETITIONER

2 BHAMA

THE ADMINISTRATOR,
TAMIL NADU STATE TRANSPORT
EMPLOYEES' 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.26622 of 2019 dated 16.12.2019 passed by this Honourable Court and thus render justice.

Prayer in CONT P(MD) . 652/ 2021 :

To punish the contemnors/respondents for willfully disobeying and not complying with the order of this Honourable Court dated 16.12.2019 in WP(MD) No.26622/2019.

PRAYER in WP(MD) No.26622/2019: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent to pay interest at the rate of 18% per annum, for the period of delay from 01.06.2019 to 21.09.2019 in paying the amounts paid towards the terminal 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 the 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 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 16.12.2019 passed in W.P.(MD) No.26622 of 2019 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.

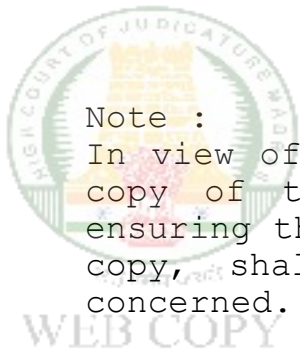
6. Accordingly, this sub application is ordered.

sd/-
24/09/2021

/ TRUE COPY /

/ /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

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

ORDER

IN

SUB A(MD) No.228 of 2021 in

Cont.P.(MD) No.652 of 2021

Date :24/09/2021

MNR

MS/PN/SAR-2/04.10.2021/3P.2C