



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

Thursday, the Twenty Fifth day of February Two Thousand and
Twenty One

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PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

Sub.A.(MD).Nos.110 and 225 of 2018
in
Cont.P.(MD).Nos.94 and 95 of 2017

Sub.A.(MD).No.110 of 2018 in Cont.P.(MD).No.94 of 2017:

M.S.DEVADOSS

... PETITIONER/ PETITIONER

Vs

1 MUTHUKRISHNAN
THE MANAGING DIRECTOR,
TAMILNADU STATE TRANSPORT CORPORATION(MADURAI)LIMITED,
BYE PASS ROAD, MADURAI-625 010.

2 ARUMUGAM
THE ADMINISTRATOR,
THE TAMIL NADU STATE TRANSPORT
CORPORATION EMPLOYEES PENSION FUND TRUST,
THIRUVALLUVAR ILLAM, PALLAVAN SALAI,
CHENNAI-600 002.

... CONTEMNORS/ RESPONDENTS

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to Revive the Contempt Petition(MD)No.94 of 2017 in WP(MD)No.1101 of 2016 dated 01.02.2018.

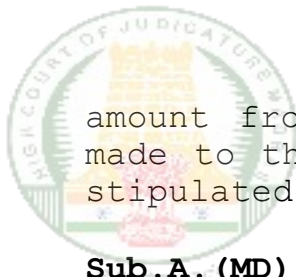
PRAYER in Contempt Petition(MD)No.94 of 2017:

Contempt Petition filed under section 11 of the Contempt of Courts Act, to commit and punish the respondents for their willful disobedience of non-compliance of the order of this Court in W.P(MD) No.1101 of 2016 dated 22.01.2016.

Prayer in WP(MD)No.1101/ 2016 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to pay the terminal benefits amount including Gratuity, Commuted Value of Pension, Leave Salary, service - surrender leave salary together with 18% interest and also 18% interest for the belated payment of Provident Fund amount, social security scheme

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amount from the date of retirement to the date of actual payment made to the petitioner and all other attendant benefits within the stipulated period.

Sub.A. (MD) .No.225 of 2018 in Cont.P. (MD) .No.95 of 2017:

M.PAULRAJ

... PETITIONER/ PETITIONER

Vs

1 MUTHUKRISHNAN
THE MANAGING DIRECTOR,
TAMILNADU STATE TRANSPORT CORPORATION (MADURAI) LIMITED,
BYE PASS ROAD, MADURAI-625 010.

2 ARUMUGAM
THE ADMINISTRATOR,
THE TAMIL NADU STATE TRANSPORT
CORPORATION EMPLOYEES PENSION FUND TRUST,
THIRUVALLUVAR ILLAM, PALLAVAN SALAI,
CHENNAI-600 002.

... CONTEMNORS/ RESPONDENTS

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to Revive the Contempt Petition (MD) No.95 of 2017 in WP (MD) No.4537 of 2016 dated 01.02.2018.

PRAYER IN Contempt Petition (MD) No.95 of 2017:

Contempt Petition filed under section 11 of the Contempt of Courts Act, to commit and punish the respondents for their willful disobedience of non-compliance of the order of this Court in W.P (MD) No.4537 of 2016 dated 07.03.2016.

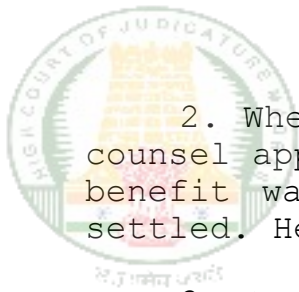
Prayer in WP (MD) No.4537/ 2016 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to pay the terminal benefits amount including Provident Fund, Gratuity, Commuted Value of Pension, Leave Salary, Service -Surrender Leave Salary, Social Security Scheme amount and refund amount of Institute of Road Transport together with 18% interest and all other attendant benefits to the petitioner.

ORDER : These petitions coming up for orders on this day, upon perusing the petitions and the affidavits filed in support thereof and upon hearing the arguments of Mr.A.RAHUL, Advocate for the petitioner in both the petitions, the court made the following order:-

The Sub Applications are filed to revive the Contempt Petition (MD) .Nos.94 and 95 of 2017.

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2. When the matters are taken up for hearing today, the learned counsel appearing for the petitioners would submit that the terminal benefit was settled. However, the surrender leave salary was not settled. Hence, the petitioners have filed the present applications.

3. On 01.02.2018, the Contempt Petitions were closed, recording the submissions made by the learned counsel for the contemnors that the amount due and payable if any shall be calculated and paid to the petitioners, within a period of two months from the date of receipt of a copy of this order. However, some portion of the amount was not paid to the petitioners. A perusal of the order passed in W.P.(MD).Nos.1101 and 4537 of 2016, reveals that this Court has issued a direction to the Transport Corporation to settle the terminal benefits of the petitioners.

4. If any amount not covered under the terminal benefits, it is for the petitioners to work out the remedy in the manner known to law, not by way of contempt petitions. Hence, these Sub Applications are closed.

sd/-
25/02/2021

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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 MUTHUKRISHNAN
THE MANAGING DIRECTOR,
TAMILNADU STATE TRANSPORT CORPORATION(MADURAI)LIMITED,
BYE PASS ROAD, MADURAI-625 010.

2 ARUMUGAM
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ORDER IN
Sub.A.(MD).Nos.110 and 225 of 2018
in
Cont.P.(MD).Nos.94 and 95 of 2017
Date :25/02/2021

akv

<https://hmcjcepgsrb.gov.in/Services/18/25/02/2021/3P.3C>