



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.02.2021

CORAM:

THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

Cont.P.(MD)No.1589 of 2018

WEB COPY

P.Selvaraj

... Petitioner

versus

1. Mr.Anantha Padmanaban,
Managing Director,
State Express Transport
Corporation (Tamil Nadu) Ltd.,
Pallavan Salai, Chennai - 2.
2. Mr.Ponmudi,
General Manager,
State Express Transport
Corporation (Tamil Nadu) Ltd.,
Pallavan Salai, Chennai - 2.
3. Mrs.Padma
Assistant Manager (Terminal Benefits),
State Express Transport
Corporation (Tamil Nadu) Ltd.,
Pallavan Salai, Chennai - 2.
4. Mr.C.Muniappan,
Administrator,
Tamil Nadu State Transport Corporation,
Pension Fund Trust,
Thiruvalluvar Illam,
Pallavan Salai,
Chennai - 2.

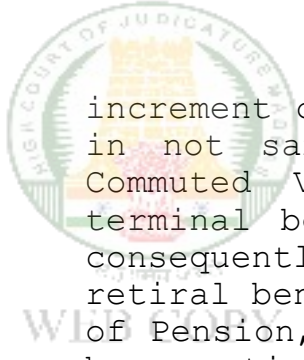
... Respondents

Prayer in Cont.P.(MD)No.1589 of 2018:

Contempt Petition filed under Section 11 of Contempt of Courts Act, to punish the respondents for their willful disobedience of the order passed by this Court in W.P.(MD)No.18596 of 2016 dated 03.11.2016.

Prayer in W.P.(MD)No.18596 of 2016:

Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned letter No.66681/C2/Aa.Vi.Po.Ka/09 dated 3.5.2016 passed by the 3rd respondent, in so far as imposing recovery of non-implemented



increment cuts to the tune of Rs.32,427/- action of the respondents in not sanctioning and settling Superannuation Pension Gratuity Commuted Value of Pension Provident Fund and other attendant terminal benefits to him quash the same as illegal arbitrary and consequently to direct the respondents to sanction and pay the above retiral benefits including monthly pension, gratuity, Commuted Value of Pension, provident fund and all other attendant retiral benefits by counting his qualifying pensionable service from the date of enrollment of provident fund as per Rule 2(P)(iii) of Tamil Nadu State Transport Corporation Pension Fund rules and by counting the period of medical treatment undertaken by him for the injuries sustained in road traffic accident while in duty and the period of taking medical treatment for Chronic Fissures and Heart Disease while in duty as pensionable service.

For Petitioner : Mr.A.Rahul
For Respondents : Mr.K.Sathiyasingh,
Standing Counsel

ORDER

The petitioner filed a Writ Petition in W.P.(MD)No.18596 of 2016, challenging the order of recovery and non-payment of pension amount. This Court, vide order dated 03.11.2016, set aside the order of recovery and issued a direction to the respondent Transport Corporation to settle all the terminal benefits of the petitioner without making any recovery, within a period of six weeks from the date of receipt of a copy of the order. Since the order of this Court has not been complied with, the present Contempt Petition has been filed.

2. Today, when the matter is taken up for hearing, the learned Standing Counsel appearing for the respondent Transport Corporation submitted that in compliance with the order of this Court, the eligible terminal benefits were settled to the petitioner. However, pension was denied since the petitioner has not rendered ten years of service as per Pension Trust Rule.

3. In view of the above, the Contempt Petition is closed. However, liberty is given to the petitioner to work out his remedy in the manner known to law.

Sd/-

Assistant Registrar(CRL side)

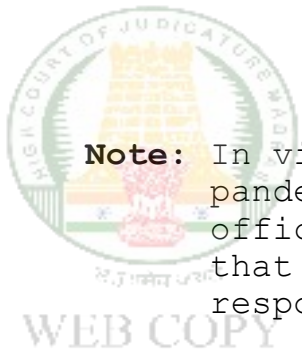
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Sub Assistant Registrar(CS)

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



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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General Manager,
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Pension Fund Trust,
Thiruvalluvar Illam,
Pallavan Salai, Chennai - 2.

+1 CC to M/s.K.SATHIYA SINGH, Advocate (SR-2655[F] dated 01/02/2021)
+1 CC to M/s.A.RAHUL, Advocate (SR-3160[F] dated 03/02/2021)

Cont.P. (MD)No.1589 of 2018
01.02.2021

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