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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.02.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

Cont. P.(MD) No.17 of 2022

in

W.P.(MD) No.13156 of 2021

P.Bose

... Petitioner/Petitioner

Vs.

1.Thiru.Thiruvambalampillai,
The Managing Director,
Tamil Nadu State Transport Corporation (Madurai) Limited,
Madurai Region,
Madurai.

2.K.Bhama
The Administrator,
Tamil Nadu State Transport Employees' Pension Fund Trust,
Thiruvalluvar Illam,
Anna Salai,
Chennai - 2.

... Contemnors/Respondents

Prayer: Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971 to initiate contempt proceedings against the contemnors / respondents and punish them for the willfull disobedience of the order of the Hon'ble High Court in W.P.(MD) No.13156 of 2021 dated 30.07.2021.

Prayer in WP(MD). 13156/ 2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court S-12. To issue a Writ or Order or Direction or in the nature of WRIT OF MANDAMUS directing the respondents to settle interest at the rate of 6 percentage per annum, for the belated payment of petitioner's terminal benefits including Gratuity, Terminal Leave salary, Commuted Value of Pension and Provident Fund from the date of his retirement to till the date on which the said benefits were settled to him and pass such further or other orders as this Honble Court may deem fit and proper in circumstances of the case and thus render justice.

For Petitioner	: Mr.A.Rahul
For Respondents	: Mr.J.Senthil Kumaraiah

O R D E R

Though the learned counsel for the respondents made a submission that the order has been complied with, there are certain objections with reference to the calculation and the eligibility of



the petitioner in the matter of settlement of benefits. However, the Courts issued direction to settle the benefits. Calculation cannot be verified by this Court in a Contempt proceedings, as the Contempt proceedings cannot be treated akin to that of the execution proceedings.

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2.Under these circumstances, if any other grievance exist regarding wrong calculation or eligibility criteria or otherwise, the petitioner is at liberty to approach the competent authority, by producing all relevant documents and in the event of submitting any such relevant documents or calculation, the same is to be verified by the respondents to ascertain the correctness or otherwise and any other grievance exists, the same may be redressed in the manner known to law.

3.Accordingly, the Contempt Petition stands closed.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

To

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RS (07.03.2022) 2P-3C