



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.02.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

Cont. P. (MD) No.133 of 2022

in

W.P. (MD) No.7409 of 2021

WEB COPY

G.Moorthy

... Petitioner/Petitioner

Vs.

1.Thiru Shivalingam

The General Manager,

The Management of

Tamil Nadu State Transport Corporation (Madurai) Limited,

Dindigul Region,

Dindigul.

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 punish the contemnors / respondents for wilfully disobeying and not complying with the order of this Honourable Court dated 31.03.2021 in W.P.(MD) No.7409 of 2021.

Prayer in WP(MD) . 7409/ 2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue appropriate Writs, orders or directions and in particular issue a writ of Mandamus directing the respondent to pay the petitioner interest at the rate of 18 percentage per annum, for the period of delay from 01/12/2019 to 24/01/2021, in paying the amounts paid towards my terminal and pension benefits of the petitioner namely EPF Employees Contribution, Gratuity, Encashment of Earned / Sick Leaves and Commutated Value of Pension, within a time frame as may be fixed by this Honble Court and without affecting his right to claim balance amounts towards those benefits and thus render justice.

For Petitioner : Mr.S. Arunachalam

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.

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 (CS II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

MPK/RM

To

1.Thiru Shivalingam
The General Manager,
The Management of
Tamil Nadu State Transport Corporation (Madurai) Limited,
Dindigul Region,
Dindigul.

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

**Cont. P. (MD) No.133 of 2022
in**

**W.P. (MD) No.7409 of 2021
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MGJ(07.03.2022) 2P 3C