



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.02.2022

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

Cont. P. (MD) No.163 of 2022

in

W.P. (MD) No.12835 of 2021

WEB COPY

V.Kannan

... Petitioner/Petitioner

Vs.

1.Shivalingam,
The General Manager,
Tamilnadu 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 29.07.2021 in W.P. (MD) No.12835 of 2021.

Prayer in WP(MD) . 12853/ 2021 :

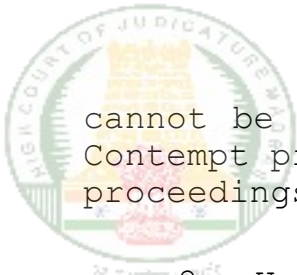
Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a writ of Mandamus, directing the respondent to pay interest at the rate of 18 percentage per annum, for the period of delay from 01-06-2019 to 24-01-2021, in paying the amounts paid towards petitioner terminal benefits namely EPF Employees Contribution, Gratuity and Encashment of Earned/Sick Leaves within a time frame as may be fixed by this Honourable Court and without affecting my right to claim balance 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 (AD II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

MPK/RM

To

1.Shivalingam,
The General Manager,
Tamilnadu State Transport Corporation (Madurai) Limited,
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Dindigul.

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The Administrator,
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MGJ(11.03.2022) 2P 3C