



Cont.P.(MD).No.639 of 2022

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.06.2022

CORAM:

**THE HONOURABLE MR.JUSTICE S.S. SUNDAR
and
THE HONOURABLE MRS.JUSTICE R.THARANI**

Cont.P(MD)No.639 of 2022
in
W.A(MD)No.213 of 2018

A.Sambantham

.. Petitioner/Respondent

Vs.

Mr.S.Rajmohan
Tamil Nadu State Transport Corporation
(Kumbakonam Limited)
Represented by its Managing Director,
Tamil Nadu State Transport Corporation
Kumbakonam Division 1,
Railway Station New Road,
Kumbakonam-612 001.

..Contemnors/Appellant

Prayer: Contempt Petition filed under Section 11 of Contempt Courts Act, to punish the contemnor/respondent as per law for having wilfully disobeyed the direction of this Court made in W.A(MD)No.213 of 2018 dated 26.04.2021.

For Petitioner : Mr.T.Antony Arulraj
For Respondent : Mr.D.Sivaraman
Standing Counsel



Cont.P.(MD).No.639 of 2022

ORDER

WEB COPY

(Order of the Court was made by S.S.SUNDAR.J.,)

Heard Mr.T.Antony Arulraj, the learned counsel appearing for the petitioner and Mr.D.Sviaraman, learned Standing Counsel appearing for the respondent.

2.Earlier, the learned Standing Counsel appearing for the respondent filed a compliance report before this Court and submitted that without deducting any interest towards pension contribution, the amount has been paid to the petitioner.

3.Today, the learned counsel appearing for the respondent reported that the respondent has disbursed the amount that is payable to the petitioner, except a sum of Rs.1,99,931/-, as the petitioner has not surrendered his benefit, viz., EPF pension. It is admitted that the petitioner was drawing a sum of Rs.348/- towards monthly pension, for the period before the pension scheme was introduced.

4.It is the case of the respondent that the petitioner is entitled to get only one pension and without surrendering the EPF pension, it is not possible



Cont.P.(MD).No.639 of 2022

for the respondent to settle the amount. The learned counsel appearing for the respondent undertakes that the entire amount payable towards pension will be paid after deducting the amount, which is paid by the respondents to the petitioner by way of pension.

5.The learned counsel appearing for the petitioner undertakes to surrender the EPF pension to the respondent.

6.Upon surrendering the EPF pension, the respondent undertakes to pay the balance amount within a period of two weeks from the date of receipt of a copy of such communication.

7.In view of the subsequent development, the learned counsel for the petitioner is unable to point out any grievance as against the respondents. Therefore, this Contempt Petition is closed. However, it is open to the petitioner to work out his remedy, in the manner known to law in case he has any dispute regarding the quantum.

(S.S.S.R.J.) (R.T.J.)
23.06.2022

Index : Yes / No
Internet: yes



WEB COPY



Cont.P(MD).No.639 of 2022

S.S. SUNDAR, J.,
and
R.THARANI,J.,
Ns

To
Mr.S.Rajmohan
Tamil Nadu State Transport Corporation
(Kumbakonam Limited)
Represented by its Managing Director,
Tamil Nadu State Transport Corporation
Kumbakonam Division 1,
Railway Station New Road,
Kumbakonam-612 001.

Cont.P(MD)No.639 of 2022
in
W.A(MD)No.213 of 2018

23.06.2022