



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.06.2022

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THE HONOURABLE MR.JUSTICE M.S.RAMESH

CONT.P.(MD)Nos.893 and 1098 of 2019

and

Sub.Aplc.(MD)No.127 of 2021

in

CONT.P.(MD)No.1098 of 2019

V.Savithiri ... Petitioner in Cont.P.(MD)No.893 of 2019
V.Pushparani ... Petitioner in Cont.P.(MD)No.1098 of 2019

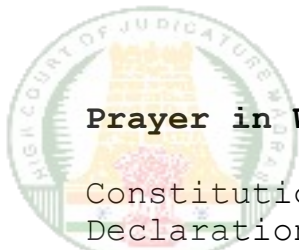
-Vs-

- 1.Mr.Ponmudi,
The Managing Director,
The Tamil Nadu State Transport
Corporation (Kumbakonam) Limited,
Kumbakonam.
- 2.Mr.Sundarapandian (In-charge),
The General Manager,
The Tamil Nadu State Transport
Corporation (Kumbakonam) Limited,
Karaikudi Region, Karaikudi.
- 3.Mr.Venkatraj,
The Administrator,
Tamil Nadu State Transport Corporation
Pension Fund Trust,
Thiruvalluvar Illam,
Pallavan Salai, Chennai-2. ... Contemnors / Respondents

COMMON PRAYER: Contempt Petitions filed under Section 11 of the Contempt of Courts Act, 1971, to punish the contemnors for their willful deliberate and disobedience of the orders passed by this Court in W.P.(MD)No.25263 of 2018, dated 09.01.2019 and W.P.(MD)No.1051 of 2019, dated 22.01.2019.

Prayer in WP(MD). 25263 OF 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Declaration, declaring the action of the respondents in denying dearness allowance on the petitioners family pension as illegal and arbitrary and consequently direct the respondents to effect the payment of dearness allowance on the petitioners family pension with effect from the date of death of her husband late.R.Pandiarajan and to pay the dearness allowance arrears on family pension together with interest at the rate of 18% per annum payable from the date of death of the Petitioner's husband.



Prayer in WP(MD). 1051 OF 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Declaration, declaring the action of the respondents in denying dearness allowance on the petitioners family pension as illegal and arbitrary and consequentially direct the respondents to effect the payment of dearness allowance on the petitioners family pension with effect from the date of death of her husband Late.T. Gurusamy and to pay the dearness allowance arrears on family pension together with interest at the rate of 18% per annum payable from the date of death of the Petitioner's husband.

For Petitioner : Mr.A.Rahul
For R1 and R2 : Mr.P.Balasubramanian
For R3 : Mr.A.Swaminathan
(in both Cont.Ps.)

COMMON ORDER

It is stated by the learned counsel appearing for the respondents that as against the orders of the Writ Court, appeals have been filed with the condonation of delay petitions in C.M.P.(MD)Nos.4348 and 4349 of 2021 before this Court and the same are pending before the Hon'ble Division Bench of this Court.

2.I am of the view that when the appeals are pending before this Court, it would not be appropriate to parallely adjudicate the contempt proceedings. However, if the petitioners are granted with liberty to workout their remedy subject to the outcome of the Writ Appeals, the interest of justice would be served. Accordingly, these Contempt Petitions stand closed with liberty to the petitioners to workout their remedy subject to the outcome of the Writ Appeals. Consequently, connected Sub Application is also closed.

Sd/-

Assistant Registrar (CS-III)

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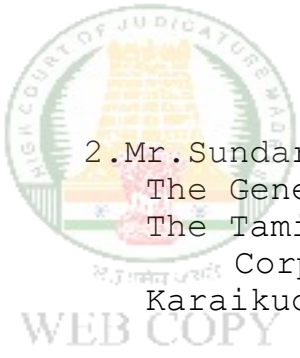
Sub Assistant Registrar(CS)

Myr

TO:

1.Mr.Ponmudi,
The Managing Director,
The Tamil Nadu State Transport
Corporation (Kumbakonam) Limited,
Kumbakonam.

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



2.Mr.Sundarapandian (In-charge),
The General Manager,
The Tamil Nadu State Transport
Corporation (Kumbakonam) Limited,
Karaikudi Region, Karaikudi.

3.Mr.Venkatraj,
The Administrator,
Tamil Nadu State Transport Corporation
Pension Fund Trust,
Thiruvalluvar Illam,
Pallavan Salai, Chennai-2.

+2 CC to M/s.A.RAHUL, Advocate (SR-25246,SR-25245 [F] dated
13/06/2022)

+1 CC to M/s.P.BALASUBRAMANIAN, Advocate (SR-25371,[F] dated
13/06/2022)

+1 CC to M/s.D.SIVARAMAN, Advocate (SR-25218[F] dated 10/06/2022)

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