



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.02.2022

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

Cont. P.(MD) No.1952 of 2021
in
W.P.(MD) No.5962 of 2021

D.Pitchai

... Petitioner/Petitioner

Vs.

1.Thiruvambalampillai
The Managing Director,
Tamil Nadu State Transport Corporation (Madurai) Limited,
Bye Pass Road,
Madurai-625 016.

2. Bama
The Administrator,
Tamil Nadu State Transport Corporation
Employees Pension Fund Trust,
Pallavan Salai,
Chennai-600 002.

... Contemnors/Respondents No.1 & 2

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 willful disobedience of the order of the Hon'ble High Court in W.P(MD)No.5962 of 2021, dated 17.03.2021.

Prayer in WP(MD) . 5962/ 2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ or order or direction or in the nature of Writ of Mandamus, directing the respondents to settle interest at rate of 18 percentage per annum for the belated payment of petitioners terminal benefits including Gratuity, Terminal Leave Salary, Provident Fund and Commuted value of pension 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 the 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.

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 (T&P)

// True Copy //

/ /2022

Sub Assistant Registrar

To

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Tamil Nadu State Transport Corporation (Madurai) Limited,
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MPK/RM
MS/09.03.2022/2P.3C