



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.02.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

Cont. P. (MD) No.2009 of 2021

in

W.P. (MD) No.3873 of 2020

WEB COPY

K.Kanagaraj

... 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.3873 of 2020, dated 26.02.2020.

Prayer in WP(MD). 3873/ 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents to settle interest at the rate of 18 percent per annum for the belated payment of the petitioners terminal benefits including Gratuity, Terminal Leave Salary, Commuted Value of Pension and Provident Fund from the date of the petitioners retirement to till the date on which the said benefits were settled to him.

For Petitioner : Mr.A.Rahul

For Respondents : Mr.J.Senthil Kumaraiah, Standing Counsel

O R D E R

Though the learned counsel for the respondents made a submission that the order has been complied with, there are

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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 (A.D.I)

// True Copy //

/ /2022

Sub Assistant Registrar (CS)

To

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

2.The Administrator,
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Employees Pension Fund Trust,
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