



Cont.Petn.No.50 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.03.2023

CORAM:

THE HONOURABLE MR.JUSTICE S.S. SUNDAR

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N. Lakshmanasamy

.. Petitioner

Vs.

1. Thiru. Thiruvarampillai,
The Managing Director,
Tamil Nadu State Transport Corporation (Coimbatore) Ltd.,
Erode Region, Erode.

2. Tmt. Bhama
The Administrator,
Tamil Nadu State Transport Employees' Pension Fund Trust,
Thiruvalluvar Illam,
Anna Salai,
Chennai 600002.

.. Respondents

Petition filed under Section 11 of the Contempt of Courts Act to punish the respondents for wilfully disobeying and not complying with the order of this Court dated 26.07.2021 in W.P.No.11027 of 2021.

For Petitioner : M/s. V. Porkodi

For Respondents : Mr. M. Murali Vinodh [for R1]
Mr.C.S.K. Sathish [for R2]



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ORDER

This contempt petition is filed to initiate Contempt Proceedings against the Respondents for wilfully disobeying and not complying with the order of this Court dated 26.07.2021 in W.P.No.11027 of 2021

2. By order dated 26.07.2021, this Court disposed of the Writ Petition filed by the Petitioner in the Contempt Petition with the following directions:

“6. Based on the submissions of the learned counsel appearing for the petitioner and the learned Standing Counsel appearing for the respondents, this Court is inclined to pass orders in the following lines:

(i) The respondents are directed to pay the petitioner an interest at the rate of 4% for the delayed payment of terminal benefits in six (06) monthly instalments, commencing from 01.09.2021;

(ii) In case of any dispute with regard to the quantum of amount payable under any head, it is open to the petitioner to work out either amicably or by approaching proper forum;



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(iii) In case the amount is not disbursed within the above said instalments, and if there is a delay of more than three months, then, the petitioner is entitled for an interest at 6% per annum; and

(iv) If the delay exceeds more than one year from the date of first instalment, then, the petitioner is entitled to approach this Court for a higher rate of interest.”

3. Pursuant to that order, the Contempt Petition is filed on the ground that the order of this Court with specific directions have not been complied with. However, after notice in the contempt petition, the Respondents have come before this Court with a definite stand that the Petitioner in the contempt petition has received payments as directed by this Court vide order dated 26.07.2021.

4. The communication received from the Assistant Manager, Tamil Nadu State Transport Corporation (CBE) Ltd., Coimbatore, Erode Region, dated 02.03.2023, shows that substantial amount has been paid towards interest for the delayed payment of Gratuity as well Provident Fund. A sum of Rs.1,174/- is also paid towards Earned Leave encashment.



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5. Learned counsel appearing for the Petitioner in the Contempt Petition seeks time to confirm whether the statement of the learned counsel for the Respondent is true.

6. Having regard to the communication dated 02.03.2023 with reference to the payment details, this Court accepts the statement of the learned counsel appearing for the Respondent and close the Contempt, recording the statement made before this Court by the learned counsel appearing for the Respondents.

7. In case, the statement as seen from the communication dated 02.03.2023 is not true, it is open to the Petitioner to approach this court to recall the Order passed in the Contempt Petition.

8. With the above observation, the Contempt Petition is closed.

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Index : Yes/No

Internet : Yes/No

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S.S. SUNDAR, J.
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