



SUB A(MD) No.333 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Thursday, the Twenty First day of December Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice R.VIJAYAKUMAR

SUB A(MD) No.333 of 2023
in
CONT P(MD)No.2060 of 2023

K.BHAMA
THE ADMINISTRATOR,
TNSTC EMPLOYEES PENSION TRUST,
THIRUVALLUVAR HOUSE,
NO.2, PALLAVAN SALAI,
CHENNAI-600 002

... PETITIONER/3rd CONTEMNOR

Vs

1 N.NAGENDRAN

2 D.S.VINCENT

3 K.MURUGAN

4 A.VENKATACHALAM

5 R.RENGARAJAN

... 1st to 5th RESPONDENTS/PETITIONERS

6 K.PHANINDRA REDDY
THE STATE OF TAMIL NADU,
REPRESENTED BY ITS PRINCIPAL SECRETARY TO GOVERNMENT,
TRANSPORT DEPARTMENT, SECRETARIAT,
ST. GEORGE FORT, CHENNAI.



SUB A(MD) No.333 of 2023

7 T.UDAYACHANDRAN

THE STATE OF TAMIL NADU,
REPRESENTED BY ITS PRINCIPAL SECRETARY TO GOVERNMENT,
FINANCE DEPARTMENT, SECRETARIAT,
ST. GEORGE FORT, CHENNAI.

... 6th & 7th RESPONDENTS/1st & 2nd CONTEMNORS

8 ARUMUGAM

THE MANAGING DIRECTOR,
TAMILNADU STATE TRANSPORT CORPORATION LIMITED,
BYE PASS ROAD,
MADURAI - 625 016.

... 8th RESPONDENT/4th CONTEMNOR

Sub application filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to dispense with the personal appearance before this Honourable Court and purge out of the contempt.

Prayer in CONT P(MD). 2060/ 2023 :

Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971 to punish the Contemnors/1st to 4th Respondents for the deliberate and willful disobedience of the order dated 02.03.2023 passed by this Honourable Court in W.P. (MD). No. 644 of 2020.

Prayer in WP(MD). 644/ 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court Calling for the records relating to the impugned order passed by the 1st respondent vide his proceedings G.O.(MS) No.142 Transport (E) Dept. dated 26.08.2019 and quash the same as illegal in so far as it relates to clause 3(b) and (c) are concerned and consequentially to direct the respondents to pay the arrears of revision of pension as per 7th pay Commission in terms of G.O.(Ms) NO.134 Transport (D) Dept. dated 09/04/2018 which was issued based on G.O.Ms.No.303 Finance (pay cell) dept. dated 11/10/17 by the 1st respondent and the consequential circular dt 9.5.2018 issued by the 3rd respondent in which notional effect is from 01.01.2016 and monetary benefits effect is from 01.10.2017 and also to pay the dearness allowances at the present rate of 17% and to pay the dearness allowances in future on par with employees in service within the period that may be stipulated by this Hon'ble Court.



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ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.SC.HEROLD SINGH, Advocate for the petitioner and of Mr.AJMAL KHAN, Senior counsel for M/s.AJMAL ASSOCIATES on behalf of the Respondents 1 to 5, the Court made the following order:-

Considering the request made in the Sub Application and the reasons assigned in the application, the presence of the petitioner is dispensed with today ie., on 21.12.2023.

sd/-
21/12/2023

/ TRUE COPY /

/12/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

EBSI

TO

1 K.PHANINDRA REDDY
THE STATE OF TAMIL NADU,
REPRESENTED BY ITS PRINCIPAL SECRETARY TO GOVERNMENT,
TRANSPORT DEPARTMENT, SECRETARIAT,
ST. GEORGE FORT, CHENNAI.

2 T.UDAYACHANDRAN
THE STATE OF TAMIL NADU,
REPRESENTED BY ITS PRINCIPAL SECRETARY TO GOVERNMENT,
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MADURAI - 625 016.

ORDER
IN
SUB A(MD) No.333 of 2023
in
CONT P(MD)No.2060 of 2023
Date :21/12/2023

SS/VR/SAR- /28/12/2023/4P/4C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023