



SUB A(MD) No.74 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Civil Appellate Jurisdiction)

Friday, the Fifteenth day of March Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

Sub A(MD) No.74 of 2024
in
Cont.P(MD).No.2357 of 2023

ARUMUGAM
THE MANAGING DIRECTOR,
THE TAMIL NADUR STATE TRANSPORT
CORPORATION (MADURAI) LIMITED,
MADURAI REGION,
MADURAI.

... PETITIONER/CONTEMNOR

Vs

R.MANOCHARAN
SELECTION GRADE DRIVING INSTRUCTOR-I (RETD),
STAFF No.DI04215,
TAMIL NADU STATE TRANSPORT
CORPORATION (MADURAI) LIMITED,

... RESPONDENT/PETITIONER

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



SUB A(MD) No.74 of 2024

Prayer in CONT P(MD). 2357/ 2023 :

Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971 to initiate contempt proceedings against the Contemnor/ Respondent and punish them for their willful disobedience of the order of the Honorable High Court W.P.(MD) No.18809/2022 dated 02.03.2023.

Prayer in WP(MD). 18809/ 2022 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue of Writ of declaration, declaring the action of the respondents in rejecting or refusing to pay the peitioners revised gratuity, revised earned leave salary and other terminal benefits based on his revised basic pay as on the date of his superannuation / retirement payable to him as per settlement dated 04.01.2018 entered under Section 12(3) of the ID Act and stating that there is no provision or practice to pay the terminal benefits based on the revised basic pay and that ther terminal benefits will be paid and settled only based on the actual pay received by him on the date of his retirement as illegal, arbitrary and consequently to direct the respondents to revise his terminal benefits namely gratuity and earned leave salary based on the basis pay payable to him as per settlement dated 04.01.2018 as on the date of his retirement and to pay him difference in gratuity and difference in earned leave salary within 6% interest per annum payable from the date of his retirement to till the date on which the above difference amounts in terminal benefits are settled to them, within a time frame that may be fixed by this Hon'ble Court.

ORDER : This Sub Application 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 M/S. S.GLADSON MICHAEL RAJADUR, Advocate for the Petitioner/Contemnor and of Mr.A.RAHUL, Advocate on behalf of the Respondent/Petitioner, the court made the following order:-

This Petition is ordered and the appearance of the contemnor/s is dispensed with for the present.

2. Post the matter on 22.03.2024 for reporting compliance. On that date, if the



SUB A(MD) No.74 of 2024

order is not complied with, the contemnor/s is/are directed to be present before this

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Court.

sd/-

15/03/2024

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/03/2024

Sub-Assistant Registrar

(C.S. I / II / III / IV)

Madurai Bench of Madras High Court,

Madurai - 625 023.

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TO
ARUMUGAM
THE MANAGING DIRECTOR,
THE TAMIL NADUR STATE TRANSPORT
CORPORATION (MADURAI) LIMITED,
MADURAI REGION,
MADURAI.

ORDER

IN

Sub A(MD) No.74 of 2024

in

Cont.P(MD).No.2357 of 2023

Date :15/03/2024

SA/GS/SAR. /20.03.2024/3P/2C

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