



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.04.2025

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

Cont.P.(MD)No.871 of 2025

in

W.P.(MD)No.24040 of 2024

M.Maheen

...Petitioner/Petitioner

Vs

1.S.Merlin Jeyanthi,
The General Manager,
Tamil Nadu State Transport Corporation(Tirunelveli) Limited,
Nagercoil Region,
Rani Thottam, Nagercoil,
Kanniyakumari District.

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

...Contemnors/Respondents

PRAYER: Contempt Petition is filed under Section 11 of Contempt of Courts Act, 1971, to commit and punish the Contemnor/ Respondent for willfully disobeying and non complying with the order dated 14.10.2024 in W.P(MD)No. 24040 of 2024.



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For Petitioner : Mr.K.Gokul

For Respondents : Mr.K.Ramaiah
Standing Counsel for R1
Mr.S.C.Herold Singh
Standing Counsel for R2

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ORDER

The present contempt petition has been filed alleging violation of the order of this Court dated 14.10.2024, made in W.P(MD)No.24040 of 2024, wherein this Court has directed the Transport Corporation to release the eligible benefits upon the writ petitioner with 6% interest arising out of 14th wage settlement.

2.The present contempt petition has been filed alleging that the order of this Court has not been complied with. The Transport Corporation has circulated an order to the effect that already eligible benefits have been released in favour of the petitioner and therefore, no further payment has to be made. In such circumstances, the order of this Court has not been violated.

3.The learned Counsel appearing for the petitioner has submitted that for similarly placed persons, the transport Corporation has proceeded to release the difference amount arising out of 14th wage settlement. However, the petitioner is alone being discriminated.



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4. For the said submissions, the learned Standing Counsel appearing for the Transport Corporation has contended that in the said writ petition, positive directions were issued. Aggrieved over the said directions, the Transport Corporation has filed an appeal. Pending appeal, without prejudice to the Writ Appeal, the order of the writ Court has been complied with, under the threat of contempt proceedings. Therefore, the same cannot be cited by the writ petitioner herein.

5. In view of the above said facts, it is clear that the Hon'ble Division Bench is seized of the issue whether the petitioner and the similarly placed persons are eligible to receive any benefit out of the 14th wage settlement or not. In case, if the writ appeal is dismissed, the petitioner would also be eligible for the same benefits.

6. Considering the above said facts, the present contempt petition stands closed with liberty to the petitioner to revive the same depending upon the outcome of the writ appeal.

21.04.2025

NCC : Yes/No
Index : Yes/No
Internet: Yes/No
RJR



R.VIJAYAKUMAR, J.

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RJR

To

1.The General Manager,
Tamil Nadu State Transport Corporation(Tirunelveli) Limited,
Nagercoil Region,
Rani Thottam, Nagercoil,
Kanniyakumari District.

2.The Administrator,
Tamil Nadu State Transport Corporation Pension Fund Trust,
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