

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:16.6.2015

CORAM

THE HON'BLE MR. JUSTICE **B.RAJENDRAN**

**CONTEMPT PETITION No.139 of 2015**

M/s. Thambbi Modern Spinning Mills Ltd.,  
Represented by its Authorised Signatory  
Omalur Main Road  
Jagir Ammapalayam  
Salem - 636 301 ... Petitioner

vs

1.N.Manoharan  
2. Er.K.Senthilrajan ... Respondents

Contempt petition filed under Section 11 of the  
Contempt of Courts Act, to punish the respondents for  
wilful disobedience of the order dated 28.8.2014 made in  
W.P.No.12553 of 2013

For Petitioner ... Mr. J.Abishek

For Respondents ... Mr.S.K. Rameshwar

ORDER

When the matter is taken up today, the learned standing counsel for the respondents submitted that the issue relating to the correctness of the levy of BPSC on E- Tax prior to 31.8.2004 is pending before the Hon`ble Supreme Court in SLP.No.12282 of 2014. The learned standing Counsel further submitted that the petitioner has already closed two units of their Mill. The learned standing counsel also submitted that in case the order has been passed by the Hon`ble Supreme Court in favour of the respondents, as per law, the respondents are entitled to get refund of the amount. Since the petitioner has closed two units, the respondents will not be in a position to recover the amount later from them, if the amount is paid now. The respondents have also filed a counter to that effect. Therefore, the learned standing counsel prays some time to comply with the order passed by this Court.

2. On the above submission, I have heard the learned counsel for the petitioner.

3. The learned counsel for the petitioner submitted that the petitioner is ready and willing to give immovable property as security in favour of the respondents, for which the respondents have no objection.

4. Considering the submission made on either side, this contempt petition is closed by granting two weeks time to the respondents to comply with the order passed by this Court on 28.8.2014 in WP.No.12553 of 2013 within a period of two weeks.

For reporting compliance, post after two weeks.

ga

SD/  
DEPUTY REGISTRAR(OS)

//Certified to be true copy//

Dated at Madras this the day of 2015.

COURT OFFICER(O.S.)

From 25th Day of September 2008 the Registry is issuing certified copies of the Orders/Judgments/Decrees in this format.

RLD/CO/26/06/2015

One CC to Mr.A.Jenasenan, Advocate, SR.7502

To

1.N.Manoharan,  
Chief Financial Controller/Revenue  
TANGEDCO,  
144, Anna Salai, Chennai 2.

2.Er.K.Senthilrajan,  
Superintending Engineer,  
Salem Electricity Distribution Circle,  
Salem 636 010.