

In the High Court of Judicature at Madras

Dated : 03.1.2020

Coram :

The Honourable Mr.Justice T.S.SIVAGNANAM

Contempt Petition No.1527 of 2018

M.Kavitha, Proprietrix,
M/s.Kavitha Agencies

...Petitioner

Vs

1.MosMetro India Private Ltd.,
rep.by its Managing Director

2.Mr.Vijjay Metha, power of
attorney holder for MosMetro
India Private Limited

3.Mr.P.Chanthiran, authorized
signatory, MosMetro India Private
Limited

4.M.R.Traders rep.by its Proprietor,
No.7, Ragavaih Road, T.Nagar,
Chennai-17.
(R4 impleaded vide order dated
02.8.2018 in Sub.A.No.490 of 2018
by TSSJ)

...Respondents

PETITION under Section 11 of the Contempt of Courts Act,
1971 to punish the respondents for willful disobedience of
the order dated 29.4.2016 passed in W.P.No.16062 of 2015.

For Petitioner	:	Mr.Thriyambak Kannan
For Respondents 1 to 3	:	Mr.Sathish Parasaran, SC for Mr.Adeesh Anto
For Respondent-4	:	Ms.A.Sumathy (discharged from the contempt petition)

ORDER

I have heard the learned counsel on either side.

2. This contempt petition has been filed alleging willful disobedience of the order and directions issued by this Court in W.P.No.16062 of 2015 etc. batch dated 29.4.2016.

3. The above contempt petition was heard on various dates commencing from June 2018 and several directions were issued from time to time. When the case was heard on 12.7.2019, this Court thought fit to refer the matter for mediation for the second time, as the dispute between the parties pertains to the accounts. Further, one Mr.V.S.Jayakumar, advocate was nominated as the Mediator along with one Mr.C.P.Sivamohan, who was the Mediator in the earlier round of mediation so as to explore the possibility of resolving the dispute.

4. This Court is informed by the learned counsel for the petitioner that with the efforts of the learned Mediators, a settlement has been arrived at and that the parties entered into a settlement agreement dated 25.11.2019.

5. In terms of the said settlement agreement, the respondents - contemnors shall comply with certain requirements within a time frame. For the present, since

the issue has been settled between the parties and that too, with the able assistance and guidance of the learned Mediators, whose services are appreciated, this Court is inclined to close the above contempt petition.

6. The settlement agreement dated 25.11.2019 is recorded and shall form part of this order. The above contempt petition is closed and liberty is granted to the petitioner to restore the contempt petition in the event of any eventuality arising at a later point of time. Since the fourth respondent was impleaded during the pendency of the proceedings on account of certain developments, which took place, now that the petitioner and respondents 1 to 3 entered into a settlement agreement, the fourth respondent is discharged from the contempt proceedings. It is needless to state that any other claims as against the fourth respondent, which have been mentioned in the settlement agreement shall be independently pursued.

सत्यमेव जयते

SD/-
ASSISTANT REGISTRAR (COMM.CASES)

RS

//Certified to be true copy//

Dated at Madras this the day of 2020.

COURT OFFICER(O.S.)

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SMI/10.02.2020

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