

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 04.12.2020

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

Cont.P. Nos.881 & 882 of 2020

SEC ENGINEERS (P) Ltd.,
rep by its Director,
M.Bharathkumar.

..Petitioner in Cont.P.No.881/2020

M/S.Shree Engineering Corporation
rep by its Proprietor,
R.M.Raju

..petitioner in Cont.P.No.882/2020

- Vs -

1.Thiru Pankaj Kumar Bansal, I.A.S.,
Chairman TANGEDCO
Previously known as Tamil Nadu Electricity Board,
No.800, Anna Salai,
Chennai 600 002.

.. 1st Respondent in Both Cont.Ps.

Contempt Petitions filed under Section 11 of the Contempt of Courts

Act praying to punish the respondents for wilful disobedience of the orders
dated 17.06.2019 passed by this court in W.P.Nos.16454 & 16455 of
2008.

In both WPs.

For Petitioner : M/S.Rishi S Ahuja

For Respondents : Mr.Abdul Saleem

COMMON ORDER

These Contempt Petitions have been filed by the petitioners, to punish the respondents herein, for willful disobedience of the orders of this Court passed in W.P.Nos.16454 & 16455 of 2008 dated 17.06.2019.

2. When the matters were taken up today, learned counsel appearing for the respondent submitted that though this Court issued a direction to the respondents to refund the EMD amount of Rs.1,20,000/- in each of the petitioners within a period of four weeks without any interest, however, no amount has been paid towards earnest money deposit and, therefore, in the absence of the same, the claim of the petitioners for refund of the said amount would not survive and that there is no case arises for contempt.

3. It is admitted by the learned counsel for the petitioners that no amount has been paid towards EMD, but the act of the respondents in ordering that non-payment of the said EMD would result in adjustment of the said amount in the forthcoming bills is not in line with the orders passed by this Court in W.P. Nos.16454 & 16455/08 and, therefore, appropriate directions may be issued.

4. In view of the fact that no amount has been paid towards EMD, which is accepted by either side, this Contempt petition is closed by observing that no EMD having been paid by the petitioners, the respondents need not refund the amount to the petitioners. However, insofar as the contention of the petitioners relating to the orders of the respondents for adjustment of the said amount from the bills, it is open to the petitioners to work out their remedies in a manner known to law.

5. Accordingly, with the aforesaid observations and directions, these contempt petitions are closed.

SD/-

ASSISTANT REGISTRAR(COMM.CASES)

jrs/gln

//Certified to be true copy//

Dated at Madras this the day of 2020.

COURT OFFICER(O.S.)

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SMI/15/12/2020

To

The Chairman TANGEDCO
Previousl known as Tamil Nadu Electricity Board,
No.800, Anna Salai, Chennai 600 002.



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