

IN THE HIGH COURT OF JUDICATURE AT MADRAS

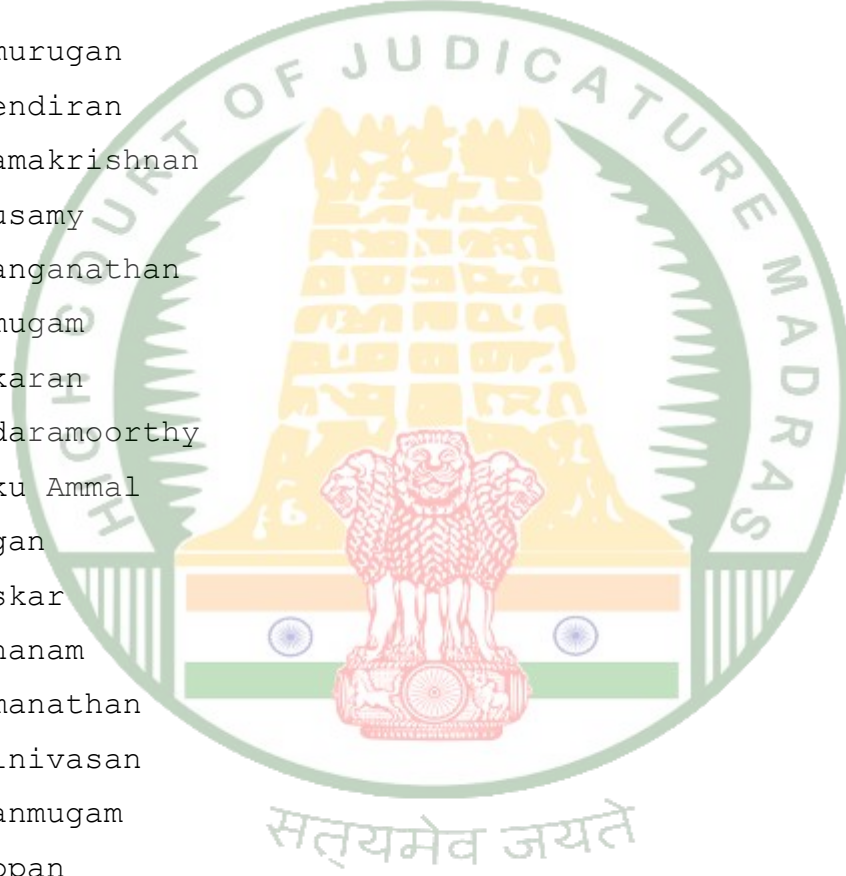
DATED : 23.01.2020

CORAM

THE HONOURABLE Mr. JUSTICE S.M.SUBRAMANIAM

Cont.P.No.3208 of 2014

- 1.C.Velmurugan
- 2.K.Rajendiran
- 3.B.P.Ramakrishnan
- 4.R.Munusamy
- 5.A.K.Ranganathan
- 6.K.Arumugam
- 7.G.Baskaran
- 8.D.Sundaramoorthy
- 9.P.Rukku Ammal
- 10.R.Jagan
- 11.R.Baskar
- 12.G.Mohanam
- 13.S.Ramanathan
- 14.D.Srinivasan
- 15.K.Shanmugam
- 16.N.Kuppan
- 17.N.Vijayaragavan
- 18.L.Swaminathan
- 19.S.Hari Krishnan
- 20.B.Mohana
- 21.C.Rajkumar
- 22.A.Sivasankaran
- 23.M.Balaraman



WEB COPY

24.M.Palani (Died)

Bhavani W/o.M.Palani

Minor Aruna D/o.M.Palani,

Rep. by her guardian

Bhavani.

25.R.Govindan

26.A.S.Saravanan

27.S.Srinivasan

28.J.Ravichandran

29.M.Mekendiran

30.A.Sambandam

31.G.Venkatesan

32.S.Baskar

33.L.Gunasekaran

34.D.Balaji

35.D.Balaji

36.D.Raghu

37.M.Shanmuga Sundaram

38.S.Venugopal

39.K.Sugumar

40.S.Swaminathan

41.A.Murugavel

42.K.Ravichandran

43.K.Sivasankar

44.L.Manoharan

45.N.Chandrasekaran

46.P.Sampath Kumar

47.T.Gnanasekar

48.S.Balamurugan

49.T.S.Venkadathiri

50.G.Poivamo zhi

51.S.G.Palani

52.K.Mani

53.R.Ravi

54.G.Kumar

...Petitioners

..Vs..

1.S.Ramasamy,
Dy. General Manager,
M/s.S.S.Industries Ltd.,
204, SIDCO AIEMA Towers,
First Main Road,
Ambattur Industrial Estate,
Chennai - 600058.

2.A.R.Santhanakrishnan,
Chairman and Managing Director,
M/s.S.S.Industries and Enterprises Ltd.,
Old No.30, New No.15, Kumaravijayan,
Krishnasamy Avenue, Luz Corner,
Mylapore, Chennai - 600004.

....Respondents

(Impleaded the proposed 2nd respondent
as party respondent as per order of Court
dated 15.11.2019 made in Sub.Appl.(OS).
No.381 of 2019 in Cont.P.No.3208 of 2014)

This Contempt petition is filed under Section 11 of the
Contempt of Courts Act, praying to punish the respondent for
wilfully disobeying the direction of this Court dated 19th
July 2013 in M.P.No.2 of 2011 in W.P.No.9879 of 2010.

For Petitioners : Mr.R.Rajaram

For Respondents : Mr.B.Natarajan
for R1
Mr.Kuberan
for M/s.Rank Associates for R2

ORDER

The Contempt petition is filed to punish the respondents for willful disobedience of the order of this Court dated 19.07.2013 passed in M.P.No.2 of 2011 in W.P.No.9879 of 2010.

2.This Court passed an order directing the respondents to pay the last drawn wages under Section 17(B) of the Industrial Disputes Act. The complaint of the contempt petitioners is that such direction has not been complied with.

3.The Chairman and Managing Director of the respondent Company one Mr.A.R.Santhanakrishnan, appeared before this Court on 09.01.2020. He made a submission that the Company was closed and liquidation proceedings were initiated and the entire Company administration is now taken over by IPR, Mr.Suresh Kumar.

4.When the assets and liabilities are already taken over by IPR, the Chairman and Managing Director cannot be punished for contempt, as he is not in charge of the Company. This being the factum, with reference to the monetary claim, the petitioners are at liberty to file a

claim petition before the competent authority for recovery of the dues and by following the procedures contemplated.

5.With this liberty, the Contempt Petition stands closed.

SD/-

ASSISTANT REGISTRAR (COMM.CASES)

hvk

//Certified to be true copy//

Dated at Madras this the day of 2020.

COURT OFFICER (O.S.)

from 25th day of September 2008 the Registry is issuing Certified copies of the Orders/Judgments/Decrees in this format.

SMI/05/02/2020

सत्यमेव जयते
WEB COPY