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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 05.08.2021

Coram :

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

Contempt Petition No. 181 of 2009

Kovai Kilakku Mavatta Panchalai
Thozhilalar Sangam (CITU) (Regn> No.1006/CBE)
280, Thyagi Palanisami Nilayam
Avinashi Road, Tirupur - 641 602
rep. by its Secretary

.. Petitioner

Versus

P. Andavan
Authorised Officer-cum-Chief Manager
Indian Bank
Asset Recovery Management Branch
31, Variety Hall Road
Coimbatore - 641 001

.. Respondent

Contempt Petition filed under Section 11 of The Contempt of Courts Act, 1971 praying to punish the respondent viz., P. Andavan, Authorised Officer-cum-Chief Manager, Indian Bank, Asset Recovery Management Branch, 31, Variety Hall Road, Coimbatore - 641 001 for wilful disobedience of the order dated 15.11.2005 in WPMP No. 15476 of 2005 & WVMP No. 1688 of 2005 in WP No. 14148 of 2005.

For Petitioner : Mr. K. Srinivasamurthy
for M/s. Row & Reddy

For Respondent : Mr. M. Balachander



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ORDER

Complaining non-compliance of the order dated 15.11.2005 made in WPMP No. 15476 of 2005 & WVMP No. 1688 of 2005 in WP No. 14148 of 2005, the petitioner has filed this contempt petition.

2. By the order dated 15.11.2005, this Court, modified the interim stay of operation of the order passed by the respondent bank and permitted the Bank to proceed with fresh auction after giving notice to the concerned.

3. It is evident that challenging the auction sale notice dated 31.03.2005, the petitioner Mill has filed the aforesaid writ petition. The learned counsel for the respondent submitted that on 10.05.2005, the respondent Bank attached the properties of the petitioner Mill by initiating proceedings under the Recovery of Debts Due to Bank and Financial Institutions Act for Rs.3.56 Crores allegedly due from them. It is also stated that this Court granted an order of interim stay, which was subsequently modified on 15.11.2005, permitting the respondent bank to proceed with fresh auction. Accordingly, the respondent bank had conducted auction and recovered the money due from the petitioner mill.



4. In the light of the aforesaid submission of the counsel for the respondent, no further order is required to be passed in this contempt petition. The contempt petition is therefore closed, leaving it open to the petitioner to work out their remedy, if any, in a manner known to law. No costs.

SD/-

ASSISTANT REGISTRAR (COMM.CASES)

rsh

//Certified to be true copy//

Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)

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GS/03.03.2022