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Cont.P. No.909 of 2011

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 14.09.2021

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

Cont.P. No.909 of 2011

Clasic Farms (Chennai) Limited,
Clasic Farms Road,
off. Old Mahabalipuram Road,
Sholinganallur, Chennai-600 119,
rep. by its Managing Director

... Petitioner

Vs.

1. Mr.M.Venkatasubbu,
S/o. Late Muthualayu Reddy,
No.12-A, R.R.Iyengar Street,
Madurantakam – 603 306.
2. Mr. N.Ravishankar,
S/o. Natarajan,
No.1805, 28th Street,
I Block, Kambar Colony,
Anna Nagar, Chennai-600 040.

... Respondents

Prayer: Contempt Petition filed under Section 11 of Contempt of Courts Act, 1971, praying to punish the respondents in accordance with law for committing contempt of disobeying the orders of this Hon'ble Court in O.A.No. 1284 of 2008 dated 15.12.2008 which was extended till further orders on 26.08.2009.



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For Petitioner : Mr.E.V.Satish Kumar
For Respondents : No appearance - R1
Mr.A.R.Nixon for R2

ORDER

(This case has been heard through video conference)

This Contempt Petition has been filed to punish the respondents in accordance with law for committing contempt of disobeying the orders passed in O.A.No.1284 of 2008 dated 15.12.2008, which was extended till further orders on 26.08.2009.

2. It appears that despite obtaining interim order in the year 2008, the arbitration has not been invoked. Since this petition has been filed for the alleged contempt, on perusal of records, it would indicate that though interim order has been passed in the year 2008, the so called sale deed was executed in the year 2010 and having obtained interim order under Sec.9 of Arbitration and Conciliation Act, the arbitration ought to have been invoked within a period of 90 days, but it was not done so. Be that as it may, the contemnor was brought before this Court on execution of bailable warrant in the last hearing, he has informed to the court that he has executed the sale deed by force and he has initiated the



proceedings before the court.

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3. In such view of the matter, this court finds that the very arbitration itself has not been invoked for more than 13 years because of interim order granted by this Court. Hence, nothing survives for further adjudication in this petition. Accordingly, this Contempt Petition is closed.

SD/-

ASSISTANT REGISTRAR(COMM.CASES)

rpp

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

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GS/20/10/2021