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Cont. P. Nos. 1212 of 2013 & 2020 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.09.2021

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

Cont. P. Nos.1212 of 2013 & 2020 of 2019

and

Sub.Appln.Nos. 97 of 2019 & 124 of 2020

Cont. P. No.1212 of 2013

R.Sathyavageeswaran
S/o. K.S.Ramakrishnan,
S-1, Bakky Abodes,
No.45, Thiruvadi Street,
Srirangam, Trichy 620 006

... Petitioner

Vs.

1. N.R.Vatsala
2. T.Prabhakar
3. V.Thirunavukkarasu
4. M.Vishnupathy
5. V.Sekar,
6. V.Singaravadivelu
7. Mrs.S.Chitra
8. Mrs. Parvatham
9. Mrs. Saraswathy



Cont. P. Nos. 1212 of 2013 & 2020 of 2019

10. Mrs. Shanbagavalli

11. Mrs. T. Santhakumari

12. G. Suresh

... Respondents

PRAYER: Contempt Petition filed under Section 11 of Contempt of Court Act, 1971, praying to issue notice to the respondents to show cause as to why respondents should not be punished for having committed the contempt of the orders of this Hon'ble Court passed in O.A.No.733 of 2006 in C.S.No.718 of 2006 dated 28.09.2006.

Cont. P. No.2020 of 2019

M/s. Shree Mangalam Builders and
Real Estates Ltd.,
rep. By its Managing Director
Mr. Jitendar Kothari,
No.16, Rangnathan Avenue,
Sylvan Lodge Colony,
Kilpauk, Chennai 600 010

... Petitioner

Vs.

1. Mr. V. Thirunavukkarasu

2. Mr. T. Prabhakar

3. Mrs. T. Santhakumari

4. Mrs. P. Rajalakshmi

... Respondents

PRAYER: Contempt Petition filed under Section 11 of Contempt of Court Act, 1971, praying to punish the respondent for having deliberately, willfully and intentionally flouted the order of this Hon'ble Court passed in O.A.No.471 of 2016 dated 28.07.2016.



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For Petitioner : No appearance
in Cont.P.No.1212/2013

For Respondents : Mr.B.Vijay for R4
in Cont.P.No.1212/2013

Mr.S.Sridhar for R9, R10
& R11

No appearance for R5, R6 &
R9

For Petitioner : Mr.M.Vijay Anand
in Cont.P.No.2020/2019

For Respondents : Mr.S.Sridhar
in Cont.P.No.2020/2019

COMMON ORDER

(This case has been heard through video conference)

Today, when the Cont.P.No. 1212 of 2013 taken up for hearing, no representation on behalf of petitioner. It is stated by the learned counsel appearing for 4th respondent that contempt petitioner himself died and the legal heirs of Contempt Petitioner have to be brought on record. As the plaintiff in the suit died, no steps have been taken. Hence, the suit is also abated.

2. As far as Contempt Petn. No.2020 of 2019 is concerned, learned counsel appearing for respondents submitted that the application has been filed against violation of the order passed under Sec.17 of the Arbitration and Conciliation Act. Now, the arbitral award itself passed. The very relief of specific performance has been negated by the learned Arbitrator.



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3. In such view of the matter, as the contempt petitioner is died, in the contempt petition No.1212 of 2013, no further order is required. Accordingly, the said Contempt Petition is closed.

4. As far as Cont. P. No.2020 of 2019 is concerned, the learned Arbitrator had passed the final award. Hence, no further adjudication is required in this Contempt Petition. Accordingly, the Cont. P. No.2020 of 2019 is also closed. Consequently, connected Sub-Applications are closed.

SD/-

ASSISTANT REGISTRAR(COMM.CASES)

rpp

//Certified to be true copy//

Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)

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GS/23/02/2022