



WEB COPY

Contempt Petition No.1017 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 13.09.2021

CORAM:

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM
and
THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

Contempt Petition No.1017 of 2021

1.B.Geethpriya Arivazhagan

2.Arivazhagan Moorthy

.. Petitioners

Both are residing at
Flat No.C3, Avigna Emerald,
Avigna Celeste,
Edchankaranai Village,
Kunnavam, Chennai 603 002

Versus

1.M/s.TK Housing & Constructions,
Rep. by its Sole Proprietor Mr.T.Kumar,
having Office at Plot No.1,
Thirukumaran Nagar, Jasmine Grove
Eachankarai Village,
Behind Mahindra World City,
New Chennai - 603 002.

and also having Office at No.263 (218),
Triplicane High Road, Triplicane,
Chennai - 600 005.

.. Respondent

PRAYER: Contempt Petition is filed under Section 11 of the Contempt of
Courts Act, to punish the respondents for wilful disobeying the order passed



by this Court in W.M.P.No.3892 of 2020 in W.P.No.3353 of 2020, dated 17.02.2020.

For petitioners : Mr.D.Yashwanth Rajan

For respondent : Mr.M.Nandhakumar

ORDER

(The Order of the Court was made by **K.KALYANASUNDARAM, J**)

The Contempt Petition is heard through video conferencing.

2. This contempt petition has been filed against the non-compliance of the order and direction issued by this Court in W.M.P.No.3892 of 2020 in W.P.No.3353 of 2020, dated 17.02.2020.

3. The grievance expressed by the petitioners is that despite an order of status quo granted in C.M.P.No.3353 of 2020 on 17.02.2020, attachment order was passed in Execution Proceedings in E.P.No.17 of 2021, on 04.03.2021.

4. It is an admitted fact that the Writ Petition was found to be not maintainable vide order dated 02.02.2021 and the Writ Petition was converted into Civil Miscellaneous Second Appeal.

5. It is not in dispute that the petitioner did not participate in the Execution Proceedings and he remained exparte. So we are of the view that there is no willful default of the order passed by this Court in



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W.M.P.No.3892 of 2020 in W.P.No.3353 of 2020, dated 17.02.2020 and

hence, the Contempt Petition is dismissed.

SD/-

ASSISTANT REGISTRAR(COMM.CASES)

rns

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

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GS/26/10/2021