

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 22..03..2021

CORAM

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

Contempt Petition No.1211 of 2020

Dr.M.Maravarman,
Flat No.19, Third Floor,
Singh Sagar Building,
Happy CHS Ltd., Wadala West,
Mumbai 400 031

... Petitioner

-Versus-

1.Mr.Subramaniam Krishnamurthy @

S.K.Murthy,
Director, DIN NO.00112204,
M/s.Leaap International Pvt. Ltd.,

a. Regd. Office at :

Old No.6, New No.11,
Mayor Sathyamoorthy Road,
Srinivasa Nagar, Chetpet,
Chennai 600 0031.

b. Plot No.1497, J Block,

16th Main Road,
Anna Nagar,
Chennai 600 040.

2. Mrs.Shaheeda Murthy

W/o Mr.S.K.Murthy,
Director, DIN NO.00112380,
M/s.Leaap International Pvt. Ltd.,

a. Regd. Office at :

Old No.6, New No.11,
Mayor Sathyamoorthy Road,
Srinivasa Nagar, Chetpet,
Chennai 600 0031.

b. Plot No.1497, J Block,
16th Main Road,
Anna Nagar, Chennai 600 040.

... Respondents

Petition filed under 11 of The Contempt of Courts Act, 1971, praying to punish the respondents for the violation and disobedience of the order of this court dated 24.02.2020 made in C.R.P.Nos.66 & 67 of 2020.

<i>For Petitioner</i>	: Mr.T.Thiageswaran for M/s.Waraon and Sai Rams
<i>For Respondent (s)</i>	: Mr.A.Mohamed Ismail for RR1 and 2

ORDER

This petition has been filed alleging that the respondents have committed contempt of order of this court dated 24.02.2020 made in C.R.P.Nos.66 & 67 of 2020 and seeking to punish the respondents.

2. Today, when the matter is taken up for hearing, the learned counsel appearing for the respondents submitted that the last installment of Rs.20,00,000/- was also paid and thus, the respondents settled the entire amount to the petitioner as agreed by them

3. The learned counsel appearing for the petitioner also admitted the above said fact.

4. Thus, recording the submissions made on either side, this contempt petition is closed as no further order is required to be passed in this matter. No costs.

5. At this juncture, the learned counsel appearing for the respondents submitted that the respondents had paid a sum of Rs.50,00,000/- to the petitioner as advance and the same is still with the petitioner and therefore, he prayed this court to grant liberty to the respondents to institute appropriate proceedings to recover the advance amount. It was, however, disputed, by the learned counsel for the petitioner stating that the advance amount is also covered in the figure arrived at by way of settlement between the parties and therefore, it is not open to the respondents to make any claim in respect of advance amount.

6. Considering the rival contention on factual issue, this court is of the view that it is always open to the respondents to work out their remedy in the manner known to law, if so advised for that, this court need not give any liberty to them.

SD/-

ASSISTANT REGISTRAR(COMM.CASES)

kmk

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

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GS/20/07/2021