

**IN THE HIGH COURT OF JUDICATURE AT MADRAS****DATED: 03.12.2021****CORAM:****THE HON'BLE MR.JUSTICE N.ANAND VENKATESH****Sub Apln (OS) No.503 of 2021****in****Cont P Dr. No.90644 of 2021**

VGN Projects Estates P Ltd.,
(formerly known as VGN Property Developers P Ltd)
Represented by its Authorised signatory
Mr.A.Rangappan having its office at
No.153, Wallace Garden, 2nd street,
Nungambakkam - Chennai 600 006

...Petitioner/Applicant/Plaintiff

Vs

B.A.Manimozhi Arasu
President,
VGN Stafford flat owners Welfare Association,
(VGN SFOWA) Vide Regn No.209 / 2017
Represented by its President
Having its office at VGN Stafford,
Sudharasana Street,
Thirumalaivasan Nagar, Thirumullaivoyal,
Chennai 600 062

....Respondent/Respondent/Defendant



Prayer: Sub Application has been filed to dispense with the production of original /certified copy of the order passed in O.A.No.544 of 2021 in C.S.No.53 of 2021 dated 22.09.2021 and permit the petitioner to file Web copy downloaded from the Court website.

For Petitioner : Mr.P.R.Raman
Senior counsel for
Mr.C.Seethapathy
For Respondents : Mr.Pradeep Jayaraman

ORDER

Pursuant to the statutory notice issued by this Court, the respondent is present before this Court.

2. During the pendency of this contempt petition, the appeal filed by the respondent against the orders passed in O.A.No.543 of 2021 and 544 of 2021 came up for hearing before the Hon'ble First bench on 24.11.2021. The Hon'ble First Bench on hearing both the sides disposed of the contempt petition and the relevant portions in the order are extracted hereunder :-



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8. *In view of the above and in the changed circumstances, we dispose of these appeals, by modifying the orders dated 13.09.2021 and 22.09.2021 in the following terms:*

(i) the non-appellant would not press the order dated 13.09.2021 for continuance of the contract with the appellant, though they have challenged the order of termination by amending the plaint and accordingly, while pressing the plaint for challenge to the order of termination of contract, they would not pray for continuance of the contract beyond 31st October 2021;

(ii) the work assigned to the new contractor may continue;

(iii) the appellant and the non-appellant shall sit across and exchange the statement of account so as to settle the accounts; and

(iv) the date given by the learned Single Judge expired on 31st October, 2021 and thus, the same is extended till 31st December, 2021.

9. *The orders dated 13.09.2021 and 22.09.2021 are modified as above. There will be no order as to*



costs. CMP Nos.18474 and 18532 of 2021 are closed.

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3. In view of the above, no further orders can be passed in this application. It is left open to the petitioner to raise all the issues/claims in the pending suit. Except giving this liberty, no further orders can be passed in this application. This Sub Application is accordingly closed.

03.12.2021

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To

B.A.Manimozhi Arasu
President,
VGN Stafford flat owners Welfare Association,
(VGN SFOWA) Vide Regn No.209 / 2017
Represented by its President
Having its office at VGN Stafford,
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Sub A No.503 of 2021

**N.ANAND VENKATESH.,J
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