



IN THE HIGH COURT OF JUDICIATURE AT MADRAS

WEB COPY

DATED : 09.09.2021

CORAM :

**THE HONOURABLE MR.JUSTICE T.RAJA
and
THE HONOURABLE MR.JUSTICE V.PARTHIBAN**

Contempt Petition No.2044 of 2017

1.M/s.AEE Castings Ltd.,
A-1, F-11 Maraimalainagar,
Kancheepuram District-603 209.

2.S.Venkatesan,
No.1/155, Post Office Street,
Thuraipakkam,
Chennai 600 096

3.V.Jayashankari,
No. 1/155, Post Office Street,
Thuraipakkam,
Chennai 600 096

... Petitioners

versus

Mariselvam,
Chief Manager cum Authorised Officer,
Indian Overseas Bank,
Maraimalai Nagar Branch,
No.34, Nandanar Street,
NH-2, Maraimalai Nagar-603 209,
Kancheepuram District.

... Respondent

Prayer: Contempt Petition filed under Section 11 of the Contempt of Courts Act to punish the respondent for Contempt of Court for his wilful disobedience of the order dated 21.10.2016 passed in W.A. No.907 of 2016.



For Petitioners : Mr.A.Prabhakaran

For Respondent : Mr.F.B.Benjamin George

ORDER

(Order of this Court was delivered by **T.RAJA,J.**)

When the matter is taken up for hearing, Mr.F.B.Benjamin George, learned counsel appearing for the respondent Bank submitted that as against the order dated 21.10.2016 passed by this Court in W.A. No.907 of 2016, the respondent Bank has returned 11 documents to the 1st petitioner.

2.In reply, learned counsel appearing for the petitioners submitted that when there was a direction to the Bank to return the documents, which were pledged as equity mortgage, to the first petitioner, after making endorsement, instead of returning the same, the respondent Bank, having received a sum of Rs.14.50 lakhs, has not acted as per the direction given by this Court.

3.We are unable to appreciate the said submission made by the learned counsel appearing for the petitioners. The reason being that when this Court has made it clear that the Bank shall return the documents to the first petitioner, after making endorsement, the petitioners, after making payment of Rs.14.50 lakhs to the Bank and getting the documents released, cannot come and complaint that there is a dis-obedience of the direction



given by this Court, without even making clarification by way of filing any affidavit before this Court. Therefore, if the petitioners got any grievance, it is open to them to challenge the same in the manner known to law. Accordingly, this Contempt Petition stands closed as nothing survives for further adjudication.

SD/-

ASSISTANT REGISTRAR(COMM.CASES)

vga

//Certified to be true copy//

Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)

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GS/24/11/2021