



Cont.P.No.1803 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.02.2022

CORAM

THE HONOURABLE MR. JUSTICE M.S. RAMESH

Cont.P.No.1803 of 2019

N.Kalaiselvi,
Chellipalayam,
Devarayapuram Post,
Namakkal District

... Petitioner

Vs.

1.S.Tamilselvan
The General Manager,
Salem District Central Co-Operative Bank Ltd.,
Salem – 636001.

2.M.Dhanalakshmi
Salem District Central Co-Operative Bank Ltd.,
Senthamangalam Branch,
Represented by its Special Officer,
Senthamangalam, Namakkal District.

3.S.Saroja,
1-52, Vanniyar Street,
Gajjalanickanpatty,
Salem 636 201

... Respondents

[3rd respondent impleaded as per the order of the Court dated 19.01.2021 made in Sub.Appln.No.400 of 2020 in Cont.P.No.1803 of 2019]

Prayer : Contempt Petition filed under Section 11 of Contempt of Courts Act,
praying to punish the respondents for wilfully disobeying the orders of this



Court dated 18.08.2008 in W.P.No.38519 of 2004 and thereby, committing contempt of court.

For Petitioner : Mr.K.V.Sajeev Kumar
For Respondents : Mr.R.Raghavan [R1]
No appearance for R2
Mr.P.Jagadesan [R3]

ORDER

The order of the Writ Court was to the effect that the terminal benefits of 25% payable to late Muthusamy should be disbursed in favour of the petitioner herein – daughter of late Muthusamy and the balance 75% shall be adjudicated before the Civil Court. Accordingly, the Bank had disbursed 25% of the terminal benefits to the petitioner herein which is also admitted by the learned counsel for the petitioner. Insofar as the remaining 75% of the terminal benefits are concerned, the Civil Court had adjudicated the dispute among the parties and through the judgment and decree dated 29.01.2014 passed in O.S.No.335 of 2011 by the II Additional Sub Court, Salem, this amount was directed to be paid to the third respondent herein, who claims to be the wife of late Muthusamy. Accordingly, the Bank has also disbursed the remaining 75% to the wife in accordance with the judgment and decree of the Civil Court.



2. Hence, I do not find any disobedience in the present action on the part of the respondent Bank. As a matter of fact, this Court is of the view that the disbursement of 25% in favour of the petitioner – daughter and the balance 75% is in compliance of the order of the Writ Court passed in W.P.No.38519 of 2004 dated 18.08.2008.

In view of the above observation, this Contempt Petition stands dismissed.

SD/-

ASSISTANT REGISTRAR(COMM.CASES)

sni

//Certified to be true copy//

Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)

from 25th day of September 2008 the Registry is issuing Certified copies of the Orders/Judgments/Decrees in this format.

GS/16/03/2022

To

1.The General Manager,
Salem District Central Co-Operative Bank Ltd.,
Salem – 636001.

2.The Salem District Central Co-Operative Bank Ltd.,
Senthamangalam Branch,
Represented by its Special Officer,
Senthamangalam, Namakkal District.