



Cont.P.No.511 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **08.09.2023**

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

Cont.P.No.511 of 2023

S.Vanitha : Petitioner

versus

1.K.Rajkumar,
Joint Registrar of Cooperative Societies
Erode circle, Mohan Kumaramangalam Road,
Erode 638009

2.K.Narmadha,
Deputy Registrar of Cooperative Societies
Erode Circle, Erode

3. Erode District Central Co-operative Bank,
Bhavani Main Road,
Erode : Respondents

By order dated 08.09.2022
R3 is impleaded by DKKJ

Prayer: Contempt Petition filed under Section 11 of Contempt of Courts Act, 1971, to punish the respondents for the willful disobedience of the orders of this Court in W.P.No.7824 of 2022 dated 13.07.2022.

For Petitioner : Mr.L.P.Shanmugasundaram

For Respondents : Mr.S.Silambannan,



WEB COPY



Cont.P.No.511 of 2023

Additional Advocate General,
Assisted by Mr.P.Gurunathan,
Additional Government Pleader

ORDER

This Contempt Petition is filed to initiate contempt proceedings under section 11 of the Contempt of Courts Act, 1971 to punish the respondents for the willful disobedience of this Court's order dated 13.07.2022 made in W.P.No.7824 of 2022.

2. The first respondent/contemnor has filed an affidavit before this Court. In paragraph No.9 of the said affidavit, the details of the disbursement of payments to be made have been furnished and the respondents have undertaken to release the said payments every month as per the schedule given in Paragraph 9 of the affidavit.

3. Learned counsel for the petitioner has accepted the said payment schedule stated in paragraph 9 of the affidavit. In case of any non-payment as per the aforesaid schedule, he seeks liberty for filing fresh contempt petition.



Cont.P.No.511 of 2023

WEB COPY

4. Learned counsel for the petitioner further stated that, a direction may be given to the first respondent to settle the interest portion also to the petitioner at the time of final settlement. He further states that the first respondent has requested in the said affidavit to implead Erode District Central Co-operative Bank, Bhavani Main Road, Erode, as a party/proposed third-respondent for encashment of the said amount.

5. Learned Additional Advocate General has stated that if there is any hurdle for the petitioner to encash the said amount as per the schedule in the affidavit filed by the first respondent, he undertakes that necessary instructions will be issued to the Erode District Central Co-operative Bank, Bhavani Main Road, Erode. He has further stated that Erode District Central Co-operative Bank, Bhavani Main Road, is a necessary party in the above contempt petition for effective compliance of the said order.



WEB COPY



Cont.P.No.511 of 2023

6. Considering the above, this court directs as follows:

(i) The respondents are directed to disburse the benefits to the petitioner, as per the schedule of payments, undertaken by the first respondent in paragraph 9 of the affidavit, filed by the first respondent.

(ii) If there is any default in the disbursement of benefits, as per the schedule given in paragraph No. 9 in the affidavit filed by the first respondent, it is open to the petitioner to file a fresh contempt petition.

(iii) This Court suo moto impleads Erode District Central Co-operative Bank, Bhavani Main Road, Erode as a party-third respondent in the contempt petition.

(iv) The first-respondent shall settle interest portion also to the petitioner at the time of final settlement.

7. With the above liberty, contempt petition is closed.

08.09.2023

Index:Yes/No

Internet:Yes/No

mrn

Note: Registry is directed to make necessary corrections in the cause-title and issue copy of the order to impleaded third respondent.



Cont.P.No.511 of 2023

WEB COPY
To
Erode District Central Co-operative Bank,
Bhavani Main Road,
Erode



WEB COPY



Cont.P.No.511 of 2023

D. KRISHNAKUMAR, J.
mrn

Cont.P.No.511 of 2023

08.09.2023