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Contempt Petition No.1419 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.08.2023

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

Contempt Petition No.1419 of 2023

B.Punitha

... Petitioner

Vs.

Sarath Babu
The Indian Oil Corporation Ltd.,
Chief Divisional Rental Sales Manager,
Chennai Divisional Office,
No.500, Anna Salai,
Chennai 600 018.

... Respondent

Prayer :

Contempt petition filed under Section 11 of Contempt of Courts Act praying to punish the respondent for willful disobedience of the order passed by this Hon'ble Court in W.P.No.5953 of 2021 dated 29.11.2021.

For Petitioner : Ms.Abhirami
for M/s.V.Srimathi
For Respondent : Mr.Mohammed Fayaz Ali

O R D E R

This contempt petition is filed alleging willful disobedience of



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the order dated 29.11.2021 made in W.P.No.5953 of 2021.

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2.Pursuant to the statutory notice ordered on 07.07.2023, the respondent/ contemnor, appeared before this Court today (04.08.2023). The further appearance of the respondent/ contemnor is dispensed with.

3.This Court vide order dated 29.11.2021 made in W.P.No.5953 of 2021 issued direction to the respondent to consider the re-constitution proposal / document given by the petitioner or by second respondent therein and pass appropriate orders as per the order of this Court dated 12.10.2017 made in W.P.No.32847 of 2013 and other guidelines.

4.It is represented by the learned counsel appearing for the respondent that since the parties failed to resolve their dispute and failed to submit the re-constitution proposal, the respondent issued show cause notice dated 31.03.2022. Thereafter, the dealer through one of its partner Namely, B.Sethuraman submitted a letter dated 05.05.2023 stating that they intend to surrender the SKO dealership



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without re-constitution. In this regard, the respondent vide letter dated 09.06.2023 called upon the petitioner as well as the dealer to attend a personal meeting on 16.06.2023. The petitioner appeared for the meeting, however, refused to sign the minutes. Hence, till date no order was passed.

5.In view of the above, this Court directs the respondent/ contemnor to fix a date for personal hearing of the petitioner and the second respondent in W.P.No.5953 of 2021. The petitioner and the second respondent in W.P.No.5953 of 2021 shall appear before the respondent/ contemnor on the said date, failing which, the respondent/ contemnor shall take note of the non-appearance and shall pass appropriate orders, within a period of two weeks from the said date.

6.This Contempt Petition is closed.

04.08.2023

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Speaking Order/ Non Speaking Order
Index: Yes/No Internet: Yes/ No

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M.DHANDAPANI,J.

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