



Cont.P.No.2171 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.09.2023

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKEVALU

Contempt Petition No.2171 of 2023

M.Loganathan

.. Petitioner

Vs

Jaisingh Sivakumar,
Tahsildar,
Palladam,
Tiruppur District.

.. Respondent

Prayer: Petition filed under Section 11 of the Contempt of Courts Act, 1971 to punish the respondent for his wilful disobedience and non-compliance of the order made in W.P.No.25485 of 2022, dated 26.6.2023.

For the Petitioner : Mr.C.Prakasam

For the Respondent : Mrs.R.Anitha
Spl. Government Pleader



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ORDER

(Order of the court was made by the Hon'ble Chief Justice)

Heard Mr.C.Prakasam, learned counsel for the petitioner and Mrs.R.Anitha, learned Special Government Pleader for the respondent.

2. It is submitted by learned counsel for the petitioner that after the order was passed by this Court on 26.6.2023, the borrower obtained stay from the Debts Recovery Tribunal and the said stay was a conditional stay. The borrower did not comply the condition. As such, in view of the order dated 26.6.2023, the authority under Section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short, the "Act of 2002") was bound to execute the order under Section 14 of the Act of 2002. The same has not been done.

3. This is not a case where we have to take cognizance of any contempt. After the order dated 26.6.2023 was passed, it appears



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that there was some stay granted by the Debts Recovery Tribunal.

According to the petitioner, the borrower did not comply the condition. In that event, the petitioner may ask the authority under Section 14 of the Act of 2002 to proceed further.

4. With these observations, the contempt petition is disposed of. There will be no order as to costs.

(S.V.G., CJ.)

(P.D.A., J.)

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Index : Yes/No
Neutral Citation : Yes/No
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