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Cont.Petn.No.3282 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

CORAM

Dated:10.12.2024

THE HONOURABLE **MR.JUSTICE P.B.BALAJI**

Contempt Petition No.3282 of 2024

Ms.S.V.Saranya
D/o R.Shankar
Partner, M/s Supreme Foundation Partnership Firm,
Residing at:No.30, Hospital Road, (VGP Salai),
West Saidapet, Chennai – 600 015

Business at
C-2, F2, Sivavel Apartments,
No.2, Alagappa Nagar, Zamin Pallavaram,
Chennai-600 117.

... Petitioner

VS.

Mrs.Vishnu Priya Narasimhan,
W/o Mr.P.S.Narasimhan
Plot No.202, No.11/6, Sri Lakshmi Apartments,
Norton 2nd Lane,
Mandavelipakkam,
Raja Annamalaiuram,
Chennai-600 028.

... Respondent

Contempt Petition filed under Section 11 of the Contempt of Courts Act 1971 to punish the respondent for wilful and deliberate disobedience of the judgment orders of this Court in Arb.O.P.(Com.Div.)No.25 of 2022 and Arb.Appln.No.305 of 2022 dated 24.02.2023.



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For Petitioner : Mr.A.Ramesh Manikandan

For Respondent : Mr.Vedavalli Kumar

ORDER

The present contempt petition has been filed alleging disobedience of the order of this Court dated 24.02.2023 in Arb.O.P.(Com.Div.) No.25 of 2022 and Arb.Appln.No.305 of 2022.

2. Mr.A.Ramesh Manikandan, learned counsel for the petitioner would refer to the order of this Court and also the Minutes of the Meeting recorded by the learned sole Arbitrator with regard to the alleged high handed act of the respondent in entering into forcible possession of the flats and taking over illegal possession.

3. It is also brought to the notice of this Court that the police complaint lodged by the petitioner was closed since the police authorities felt that it was a civil dispute. However, learned counsel would bring to the notice of this Court that the Bar Council has initiated proceedings against the Advocate and the same is pending.

4. Mr.Vedavalli Kumar, learned counsel for the respondent, referring to the counter affidavit, contends that there has been no disobedience of the order of this Court dated 24.02.2023.



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5. I have carefully considered the submissions advanced by the learned counsel on either side and I have also gone through the order dated 24.02.2023.

6. Excepting for appointing a sole Arbitrator viz., Hon'ble Mr.Justice N.Kirubakaran (Rtd.,) and giving liberty to the parties to file interlocutory applications under Section 17 of the Arbitration and Conciliation Act, 1996, I do not find any interim order, protecting the possession of the subject flats.

7. Therefore, I am unable to accept the submissions of the learned counsel for the petitioner that there is wilful disobedience of the order of the court dated 24.02.2023.

8. It is always open to the petitioner to move the police authorities or the competent criminal court to pursue his complaint, which was closed as one being civil in nature, apart from the other proceedings, already pending before the Bar Council.

9. With the above observation, the contempt petition is dismissed.

10.12.2024

sr

Index : Yes / No

Internet : Yes / No

P.B.BALAJI,J.,



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