



CONT.P(MD)No.1153 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.07.2024

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

and

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

CONT.P(MD)No.1153 of 2024

in

WMP(MD)No.20332 of 2022

in

W.P(MD)No.26164 of 2022

C.Prema

... Petitioner

vs.

R.Rajasekaran,
Branch Manager and Authorized Officer,
Manappuram Home Finance Limited,
1st Floor, 562/4, M.S.Road,
Vettoornimadam Junction,
Opp.Rajas Mandapam, Vettornimadam,
Nagercoil-629 003,
Kanyakumari District.

... Respondent

Prayer : Petition filed under Section 11 of the Contempt of Courts Act, 1971, to initiate Contempt of Court proceedings against the Respondent for willful and contumacious disobedience of direction passed by this Court in the order made in W.M.P(MD)No.20332 of 2022 in W.P(MD)No.26164 of 2022 dated 18.11.2022 and prosecute and punish the Respondent for the Contempt of Court for flouting the above said order of this Court.



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For Petitioner : Mr.G.Radhakrishnan

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ORDER

(Order of the Court was made by **R.SURESH KUMAR, J.**)

This contempt petition has been filed for the alleged disobedience of the order made in W.M.P(MD)No.20332 of 2022 in W.P(MD)No.26164 of 2022 dated 18.11.2022.

2. Heard the learned counsel appearing for the petitioner.

3. Though on 18.11.2022, some interim order has been passed and as per the interim order, compliance had been made by the petitioner, pursuant to which, further action has not been made by the respondent, that is, the complaint of the petitioner.

4. However, the fact remains that, though interim order has been passed on 18.11.2022, subsequently, when the writ petition came up for consideration on 07.11.2023, a Division Bench of this Court disposed the very writ petition itself, by giving liberty to the petitioner to approach the Debts Recovery Tribunal under Section 17 of the SARFAESI Act, as against the order passed under Section 14.



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5. When the writ petition itself was disposed, the interim order, if any, passed on 18.11.2022, no doubt has got merged with the final order, wherein, no relief has been given by the Division Bench. Therefore, at this juncture, as against the interim order dated 18.11.2022, the petitioner cannot make out a case that too for filing a contempt petition. Therefore, this Contempt Petition cannot be entertained. Accordingly, it is closed.

(R.S.K., J.)

(G.A.M., J.)

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Index : Yes / No
Neutral Citation : Yes / No
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