



WEB COPY

CONT P No. 349 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-02-2025

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THE HONOURABLE MR JUSTICE M.DHANDAPANI

CONT.P.Nos.349 & 364 OF 2020 AND REV.APPL.NOS.153 to 155 OF 2022

CONT.P.Nos.349 & 364 OF 2020:

1. S.Thiagarajan
2. Shanthi Thiagarajan
3. T.L.Prashanth
4. T.Preethi
5. Prashanthi Entertainers Pvt.Ltd.,
Rep. By Its Director, Mrs.Shanthi Thiagarajan,
No.40, North Usman Road, T.Nagar, Chennai-17.

Petitioners in both the Cont.P's.

Vs.

V.S.Suresh,
Managing Director : M/s. Real Value
Promoters Pvt. Ltd.,
Ambojini, No.17, Poes Road Second Street,
Teynampet, Chennai 600 018.

Contemnor in both the Cont.P's.

REV.APPL Nos.153 to 155 of 2022:

1. M/s.Real Value Promoters Pvt Ltd
Rep. by its Managing Director Mr.V.S.Suresh,
Ambojini, No.17, Poes Road Second Street,
Teynampet, Chennai 600 018.

Applicant in all Rev.Applns.

Vs

1. S.Thiagarajan
2. Shanthi Thiagarajan
3. T.L.Prashanth
4. T.Preethi



5.M/s.Prashanthi Entertainers Pvt. Ltd.,
Rep. by its Director, Mrs.Shanthi Thiagarajan,
No.40, North Usman Road, T.Nagar, Chennai 17.

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Respondents in all Rev.Applns.

PRAYER in CONT P No. 349 of 2020

To punish the respondent for the willful disobedience of the order dated 24.1.2019 passed in C.M.A.No.2364/2018.

PRAYER in CONT P No. 364 of 2020

To punish the respondent for the willful disobedience of the order dated 24.1.2019 passed in C.M.A.No.1789/2018.

PRAYER in REV.APPL No. 153 of 2022

To pass an order allowing the instant Review Petition by reviewing the order of the Honble High Court in CMA.No.1789/2018 dated 24.01.2019.

PRAYER in REV.APPL No. 154 of 2022

To pass an order allowing the instant Review Petition by reviewing the order of the Honble High Court in CMA.No.2646/2018 dated 24.01.2019.

PRAYER in REV.APPL No. 155 of 2022

To pass an order allowing the instant Review Petition by reviewing the order of the Honble High Court in CMA.No.2346/2018 dated 24.01.2019.

In Cont.Ptns.:

For Petitioner(s): Mr. Sathish Parasaran, Sr. Counsel
For M/s. K. Sendhilnaathan

For Contemnors: Mr.Avinash Krishnan Ravi

In Rev.Applns.:

For Petitioner(s): Mr.Avinash Krishnan Ravi

For Respondent(s): Mr. Sathish Parasaran, Sr. Counsel
For M/s. K. Sendhilnaathan

**COMMON ORDER**

When the matters were taken up for hearing, learned counsel for the petitioners in the Contempt petitions, who are the respondents in the Review applications filed a memo before this Court, wherein it has been stated as hereunder:

“6. It is submitted that since the Applicant has been admitted into Corporate Insolvency Resolution Process vide order dated 10.05.2023 by the Hon'ble National Company Law Tribunal, Chennai Bench in IBA/577/2020, due to the moratorium under Section 14 of the Insolvency and Bankruptcy Code, 2016, the Respondents would be forced to await indefinitely for a decision in the above applications.

7. It is therefore submitted that, without prejudice to the rights of the Respondents, the Respondents are proceeding to complete the construction of the building as mentioned above by building the architectural treatment dome and the staircases/lifts/gates, as contemplated under the agreement between the parties, which have not been completed as evident from the report of the advocate commissioner dated 13.02.2025. It is further submitted that the Respondents acquired quotes from reputed engineers and others, which are enclosed with this memo, and the cost of completing the works is approximately Rs.7 Crores. It is submitted that since the said expenditure is being incurred by the Respondents when the obligation to do the same is on the part of the Applicant, the Respondent reserves its rights to take appropriate legal remedies to recover the same from the Applicant.”

2. In view of the aforesaid position, no further order is necessary in these petitions and accordingly, the contempt petitions and the review applications stand closed with a liberty to the parties to workout the remedy in the manner known to law. The Memo dated 21.02.2025 filed on behalf of the contempt petitioners shall form a part and parcel of this order.

21-02-2025**skt**

Index : Yes/No

Speaking order : Yes/No

Neutral Citation : Yes/No



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CONT P No. 349 of 2



M.DHANDAPANI, J.

skt

**CONT P NOS.349 & 364 OF
2020 and REV.APPL NOS.
153 to 155 OF 2022**

21-02-2025