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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.06.2025

CORAM:

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

Sub Application No. 73 of 2025

And

Sub Application No. 74 of 2025

IN

Cont.P.No. 711 of 2007

Sub Application Nos.73 & 74 of 2025

1. G.Janakiraman (Deceased)
2. M.K.Indumathi
3. G.Ramachandran
4. G.Ashok Kumar
5. G.Anandhakrishnan
6. M.S.Sundari ... Petitioners/Proposed Petitioners

Vs

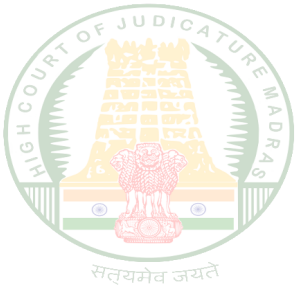
1. Mrs.G.P.Savithri ...Respondent
 2. Mr. Gatraj Jain and sons HUF
- ...Proposed Respondents



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PRAYER in Sub Application No. 73 of 2025: Sub. Application filed under Section 151 of CPC., to reopen the Contempt Petition in Cont. Petition No. 711 of 2007 as the legal heirs of the deceased petitioner in the contempt petition namely (1) M.K.Indumathi, wife of M.S.Krishnamurthy, daughter of late G.Janakiraman, Hindu, aged about 58 years, residing at Old No.34, New No. 48, 3rd Floor, Starotten Muthiah Mudali Street, Sowcarpet, Chennai 600 079; (2) G.Ramachandran, son of Late G.Janakiraman, Hindu aged about 48 years, residing at Old No. 30, New No. 63 Narayana Mudali Street, Sowcarpet, Chennai 600 079; (3) G.Ashok Kumar, son of late G.Janakiraman, Hindu, aged about 47 years, residing at Old No.30, New No. 63, Narayana Mudali Street, Sowcarpet, Chennai – 600 079; (4) G.Anandhakrishnan, son of late G.Janakiraman, Hindu, aged about 47 years, residing at Old No. 30, New No. 63, Narayana Mudali Street, Chennai – 600 079; (5) M.S.Sundari, wife of M.K.shankar, daughter of late G.Janakiraman, Hindu aged about 43 years, residing at No.1/18, G.N.T. Road, Karanodai, Chennai – 600 067 as the petitioners in the above Contempt Petition No. 711 of 2007.

PRAYER in Sub Application No. 74 of 2025: Sub. Application filed under Section 151 of CPC., to implead the proposed respondent as the respondent in the above contempt Petition No. 711 of 2007 namely M/s. Getraj Jain and Sons Rep. by the next successor male member of the family the eldest son Mr.Vikramkumar, New No. 97, Narayana Mudali Street, Sowcarpet, Chennai – 600 079 as the petitioners in the above contempt Petition No. 711 of 2007.



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For Petitioner in
both Sub Applications : Mr. A.D.Janarthanan

For Respondents in
both Sub Applications : Mr. N.Ramanujam

ORDER

It is stated that the issues between the parties have been settled.

2. Pending the suit in C.S.No. 784 of 2002, O.A.No. 188 of 2003 had been filed seeking an order of interim injunction restraining the defendants from encumbering or alienating the property mentioned in the schedule, namely, house and ground at New No.63, Narayana Mudali Street, George Town, Chennai – 600 079 measuring total 2852 sq.ft. However, the property had actually been alienated to the proposed respondent in Sub. Application (OS) No. 74 of 2025. Complaining that the said alienation was in violation of orders of this Court, Contempt Petition No. 711 of 2007 had been filed. An order was passed that the Contempt Petition had been made out.

3. This order was challenged by filing Letters Patent of Decree in the Appeal. The Division Bench had directed the purchaser to deposit a further sum of Rs.60,30,000/-. It is contended that the said amount had

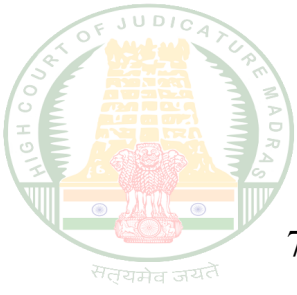


also been deposited and with the interest it had accrued to nearly twice that amount. In the meanwhile, owing to the fact that C.S.No. 784 of 2002 had to be transferred to the City Civil Court owing to pecuniary jurisdiction, the suit was transferred to the City Civil Court and renumbered as O.S.No. 184 of 2020 and is now pending before the 6th Additional City Civil Court, Chennai.

4. The learned counsel stated that there has been comprehensive settlement reached among them and permission has been granted by the Division Bench to the plaintiffs to withdraw the amount deposited by the purchaser.

5. In view of that particular direction, the Sub Application No. 73 of 2025 had been filed to reopen the Contempt Petition. This Petition has been filed by the legal representatives of the plaintiff, who had died in the interregnum period. Contempt Petition stands re-opened. Sub Application (OS) No. 73 of 2025 stands allowed.

6. List the matter once again on 30.06.2025.



7. In the meanwhile, in the Contempt Petition, necessary amendment may be carried out indicating the death of the petitioner and brining on record his legal representative and also to implead the proposed respondent as stated in Sub Application (OS) No. 74 of 2025, namely Mr.Gatraj Jain and sons HUF. Accordingly, Sub Application (OS).no. 74 of 2025 stands allowed.

8. The learned counsel may carry out necessary amendment.

20.06.2025

vsg

Index: Yes/No

Speaking order / Non speaking order



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C.V.KARTHIKEYAN, J.

vsg

Sub Application No. 73 of 2025

And

Sub Application No. 74 of 2025

IN

Cont.P.No. 711 of 2007

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