



Cont.P(MD)Nos.560 and 561 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.03.2025

CORAM :

THE HONOURABLE Mr. JUSTICE G.ILANGO VAN

Cont.P(MD)Nos.560 and 561 of 2024

Cont.P(MD)No.560 of 2024

R.Hemasri

... Petitioner

Vs

Kumaresan

... Contemnor / Respondent

Prayer : This Contempt Petition is filed under Section 11 of the Contempt of Courts Act, to punish the contemnor / respondent herein for their willful, wanton and utter disregard to the orders passed by this Court in Crl.O.P.(MD)No.8194 of 2023 dated 23.06.2023 under the contempt of Courts Act.

For Petitioner : Mr.S.Ramsundarvijayraj

For Respondent : Mr.S.Siva Ilayaraja

Cont.P(MD)No.561 of 2024

R.Hemasri

... Petitioner

Vs

K.Latha

... Contemnor / Respondent



Cont.P(MD)Nos.560 and 561 of 2024

Prayer : This Contempt Petition is filed under Section 11 of the Contempt of Courts Act, to punish the contemnor / respondent herein for their willful, wanton and utter disregard to the orders passed by this Court in CrI.O.P.(MD)No.19599 of 2022 dated 23.06.2023 under the contempt of Courts Act.

For Petitioner : Mr.S.Ramsundarvijayraj

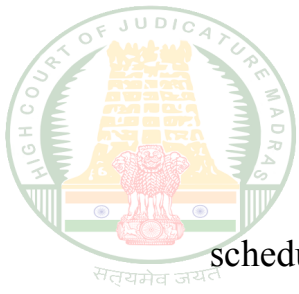
For Respondent : No appearance

ORDER

These Contempt Petitions are filed by the de-facto complainant against the respondents, who are the accused in C.C.No.719 of 2022.

2. CrI.OP(MD)No.8194 of 2023 and CrI.O.P(MD)No.19599 of 2022 were filed by the accused seeking quashment of the final report filed in C.C.No.718 of 2022.

3. When the matter was taken up for hearing, an undertaking was given by the accused. So, the matter was referred to the Mediation Centre. But there was no settlement. Later, an undertaking was given by both accused before this Court, to pay the entire subject amount in a



Cont.P(MD)Nos.560 and 561 of 2024

scheduled manner. On that account, the matter was periodically adjourned enabling the accused to pay the money.

4. The remaining amount to be settled in both matters is Rs. 95,00,000/- in total. In spite of repeated adjournments, the accused were not able to pay the money as undertook by them. Finally, it was listed on 06.01.2025. At that time, only Rs.1,00,000/- was able to be paid by the accused. But that was not accepted by the contempt petitioner. So the matter is listed under the caption 'for orders' on 29.01.2025. Even on 29.01.2025, the respondents / accused are not able to pay the money. They said that they will comply the undertaking on or before 14.02.2025.

5. Since undertaking was given by the respondent, stating that he will comply the order on or before 14.02.2025, the matter was ordered to be listed on 14.02.2025. Later, it was called on 20.02.2025. On that date, the respondent has paid Rs.3.50 Lakhs, as Demand Draft to the petitioner. For payment of the balance amount, it was ordered to be listed on 05.03.2025. When the matter was called, the respondent again requested time to settle the balance amount.



Cont.P(MD)Nos.560 and 561 of 2024

6. Record of proceedings shows that more than sufficient time was granted to the respondents herein to comply their undertaking. In spite of repeated adjournments, at the repeated request made by the respondents, the matter was periodically adjourned, considering the financial position of the respondents.

7. At one point of time the accused submitted that he has made arrangement to sell the house property for a meagre amount for settling the issue. He promised to clear the balance amount of sale consideration within a specific period; But the purchaser was not able to comply his promise so he was not able to comply his own undertaking before this Court. On that score only it was repeatedly adjourned.

8. But at one point of time, it came to know that the respondents are indulging in dragging on the matter endlessly, without caring about their promise before this Court. So this attitude cannot be encouraged. So the order of stay passed by this Court is liable to be vacated and accordingly vacated and trial may go on and may be completed within a period stipulated in CrI.O.P.(MD)No.19896 of 2022.



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WEB COPY 9. With the above said direction, these Contempt Petitions stand closed. No costs.

NCC :Yes/No
Index :Yes/No
Internet : Yes/ No
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06.03.2025



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Cont.P(MD)Nos.560 and 561 of 2024

G.ILANGOVA, J.

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ORDER
IN

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