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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-02-2026

CORAM

THE HON'BLE MR.JUSTICE P. DHANABAL

CONT P No. 1474 of 2025

1. G.Lakshmi Narayanan
2. G.Ramadevi

..Petitioner(s)

Vs

1. S.Sakthivel
Managing Director
M/s.Olympic Warehouse Pvt Ltd.,
No.12/1B,5th Street, Thirukumarapuram,
Arumbakkam, Chennai- 600 106

2. S.Sakthivel
Managing Director
M/s.Olympic Warehouse Pvt Ltd.,
No.12/1B,5th Street, Thirukumarapuram,
Arumbakkam, Chennai- 600 106

..Respondents

PRAYER: This Contempt petition has been filed under Section 11 of Contempt of Courts Act praying to punish the respondents for willfully disobeying the orders of this Court in CS No.123 of 2020 dated 27.02.2024

For Petitioner(s): Mr.P.Mohanraj

For Respondents: Mr.N.K.Sriraman.

ORDER

This Contempt petition has been filed by the petitioner to punish the respondents for willfully disobeying the orders of this Court in CS No.123 of 2020 dated 27.02.2024



2. According to the petitioner he is the first plaintiff in the main suit and the suit was filed for recovery of money based on arrears of rent and the defendants also filed written statement along with counter claim claiming Rs.3,25,00,000/- as against the plaintiff and already the respondents have deposited Rs.60,47,780/- to the credit of the said suit as per the directions of this Court. Further the petitioners have also filed a suit as against the respondents before the Principal District Court, Thiruvallur in O.S.No.448 of 2021 for the relief of vacating premises for damages and other reliefs. The main suit in C.S.No.123 of 2020 was referred to mediation and accordingly the matter was settled between the parties and the respondents/defendants had handed over possession of the property, warehouse premises and keys also handed over to them. The defendants has to pay Rs.,55,00, 000/- as full and final settlement as per the claim made in CS No.123 of 2020 within one month from the date of settlement. The plaintiff have to withdraw the pending case after realization of Rs.55,00,000/- The plaintiff has consented for the above said terms and they have no objection for raising attachment order dated 12.02.2021. The respondent having agreed to pay a said amount within one month from the date of signing the settlement agreement have wilfully and wantonly failed to comply with the said conditions and the respondents have paid a sum of Rs.10,00,000/- on 22.03.2024 and the remaining amount of Rs.45,00,000/- was not paid as per the agreement dated 22.02.2024. The respondents have to pay the entire amount within one month, however they have not paid the said



amount. Therefore the petitioner issued contempt notice dated 12.09.2024 and the first respondent managed to return the said notice but the same was received by the second respondent. The petitioner submits that after receipt of said notice the respondent have sent a reply dated 15.10.2024 along with two demand drafts each for a sum of Rs.20,16,949/- after deducting 10%TDS and 18% GST. Even for the earlier payment of Rs.42,00,000/- deposited before this Court the respondents have not paid 10% TDS and 18% GST and not issued any certificate for the same, likewise for the said amount 18% GST was not paid by the respondents, therefore they have to pay Rs.17,46,000/- towards GST and TDS and the respondents have paid Rs.50,33,898/- to the petitioners and not paid the remaining amount as stated in the agreement and not paid Rs.9,70,000/- towards TDS, therefore the respondents wilfully disobeyed the orders passed by this Court and the respondents are liable to be punished in accordance with law.

3. According to the respondents after settlement arrived at between the parties and after the decree passed by this Court they have paid a sum of Rs.10,00,000/- on 22.03.2024 and the remaining amount was paid through DDs dated 14.10.2024 each Rs. 20,16,949/- after deducting 10% TDS and 18% GST and thereby they complied with the terms of settlement agreement and the petitioner has not raised any objection at the time of receiving the said amount. hence there is no wilful disobedience committed by the respondents/defendants, therefore the petition is liable to be dismissed.



4. This Court heard both side and perused the records.

5. This petition has been filed by the petitioner to punish the respondents for willfully disobeying the orders of this Court in CS No.123 of 2020 dated 27.02.2024. In this case this Court passed decree dated 27.02.2024 based on the settlement arrived between the parties and as per the terms of settlement agreement the respondents/defendants have to pay a sum of Rs.55,00,000/- within one months from the date of agreement. However the defendants only paid a sum of Rs.10,00,000/- dated on 22.03.2024 and thereafter they have not paid the remaining amount and there by committed contempt.

6. According to the petitioners the respondents/defendants have not paid money within one month and it amounts to wilfull disobedience. So far as contempt is concerned there should be wilful disobedience of the order of this Court. This Court passed decree dated 27.02.2024 and once the parties have not complied with the decree the remedy available to the parties is to work out their remedy by executing the decree and non payment of amount based on the decree against him alone will not amount to wilful disobedience. In this case the respondents/defendants have paid the decree amount, thereby there is no wilful disobedience of the order of this Court.



7. Therefore the plaintiff/applicant can work out his remedy by executing the decree if any amount is payable by the respondents/defendants and there is no wilful disobedience by the respondents/defendants. Moreover the the respondents/defendants have paid the money subsequent to the decree by deducting TDS and GST and if any dispute in respect of TDS and GST the applicant can work out his remedy in the manner known to law. In view of the said reasons no contempt is made out and the petition is liable to be dismissed and the petitioners are not entitled for any relief.

8. With the above observation, the contempt petition stands disposed of.

24-02-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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P.DHANABAL, J.

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