



WEB COPY



Cont.P.(MD)No.1283 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Reserved on : 17.02.2026

Delivered on : 27.02.2026

CORAM:

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

CONT.P(MD)No.1283 of 2025
in
W.P(MD)No.27669 of 2022

Pushpathaleesa

: Petitioner

Vs.

Suthanthiram,
Chairman,
Mediation and Resolving Committee,
No.11, Sastha Nagar, Alaguraj 1st Street,
Madurai 625 014.

: Contemnor

PRAYER: Contempt Petition is filed under Section 11 of Contempt of Courts Act, to punish the contemnor/respondent for his willful and deliberate disobedience of the order of this Court passed in W.P(MD)No.27669 of 2022 dated 07.12.2022.

For Petitioner : Mr.M.Rajendran,

For Respondent : Mr.S.Ramasamy



Cont.P.(MD)No.1283 of 2023

ORDER

WEB COPY

This Contempt Petition has been filed invoking Section 11 of Contempt of Courts Act for punishing the contemnor/respondent for his willful and deliberate disobedience of the order of this Court passed in W.P(MD) No.27669 of 2022 dated 07.12.2022.

2.The petitioner filed a writ petition seeking a writ of mandamus, directing the respondent/contemnor to take appropriate action in accordance with the common order passed by this Court in W.P(MD)Nos.26735, 27067 and 27280 of 2019 and also based on the petitioner's representation, dated 18.08.2022 as to settle her matured amount of Rs.5,06,000/- within the stipulated time.

3.In the writ petition, it was submitted by the petitioners' side that this Court in W.P(MD)Nos.26735, 27067 and 27280 of 2019 vide order, dated 12.03.2020 appointed a committee to ensure that the claims of the depositors settled as expeditiously as possible and that the petitioner herein has submitted her representation as early as on 18.08.2022, but the same was not considered and no payment was made to the petitioner.



4. Considering the submission made by the learned Government Advocate (Criminal Side) that the committee has already settled the amount to 22 depositors and that the committee is ready to consider the representation of the petitioner, this Court, by recording the said submission made by the learned Government Advocate (Criminal Side), directed the first respondent to consider the petitioner's representation, dated 18.08.2022 and pass orders in accordance with law within a period of three weeks from the date of receipt of copy of that order.

5. The case of the petitioner in the present contempt petition is that the copy of the order passed by this Court was communicated to the respondent; that inspite of the same, the respondent has not taken any action; that the petitioner has issued a contempt notice on 17.04.2023 through his counsel, but the respondent never complied the order of this Court and that since non-compliance of the order passed by this Court is willful and the same would amount to disobedience, the petitioner was constrained to file the present contempt petition.

6. The respondent filed a reply affidavit stating that the order in WP(MD)No.27669 of 2022 was passed without issuing notice to him as Head



of the Committee or to the accused company; that there was no specific order to make any payment to the petitioner and direction was only to consider the petitioner's representation; that the petitioner did not give any representation or did not attempt to contact him; that since the petitioner did not mention in his affidavit about giving her representation, the contention of the petitioner that the respondent disobeyed the order of this Court cannot be entertained; that the liability of the accused company cannot be shifted on the monitoring Committee or Head of the Committee and make him liable personally for non payment to depositors; that the settlement process had been delayed only by the accused company; that the remedy for the petitioner at present is to proceed as per procedure under the Tamil Nadu Protection of Interests of Depositors Act and that since there is no disobedience or willful disobedience of the order of this Court and the above petition is filed with an ulterior motive, the same is liable to be dismissed.

7. The learned counsel for the respondent has earlier produced a copy of the status report submitted to the Registrar (Judicial) in connection with W.P(MD)Nos.26735, 27067 and 27280 of 2019 and also the present contempt petition, wherein the respondent has stated that the committee took steps to make publication in newspapers and received more than 4000 claim forms from depositors; that since the committee was not directly authorized to sell



Cont.P.(MD)No.1283 of 2023

the properties by auction sale or to execute the sale, they have to depend on the company, which promised to get purchasers for selling the properties; that Covid-19 disrupted the process in the meanwhile, that the company Directors are not co-operating and not taking effective steps for sale of the properties; that the committee is ineffective and without powers not workable and that therefore, the committee may be dismantled and Economic Offences Wing police may be directed to proceed as per Tamil Nadu Protection Interests of Depositors Act 1997.

8. It is pertinent to note that the learned Judge of this Court in W.M.P(MD)Nos.26219 to 26221 of 2025 in WP(MD)Nos.27067, 26735 and 27280 of 2019, passed an order, dated 02.12.2025 dissolving the committee headed by the present respondent and directed the Deputy Superintendent of Police, EOW, Madurai to take over all the documents that are lying in the committee office and to proceed in accordance with law.

9. The Deputy Superintendent of Police, EOW, Ramanathapuram submitted a status report narrating the steps taken and also filing of preliminary charge sheet in pursuance of the direction of this Court in CrI.O.P(MD) No.9994 of 2024 and 17681 of 2023, dated 16.05.2025. In the status report, it has been stated that during course of investigation, they



have received 588 petitions through the depositors in Madurai EOW Office; that they have filed a primary charge sheet before the TANPID Court, Madurai; that they have also identified agricultural lands standing in the name of the accused, which were already attached by the Justice (Retd).R.M.Lodha Committee and that they have already approached the committee for releasing the said property and the proceedings are pending.

10. The learned Government Advocate (Criminal Side) has also produced copy of the charge sheet filed before the TANPID Court. A cursory perusal of the said charge sheet would reveal that the present petitioner is not shown as a victim/witness in the charge sheet or in the list of witnesses cited. When a specific query was made by this Court in this regard, the learned Government Advocate (Criminal Side) submitted that the petitioner's name does not find place in the list of victims cited as witnesses in the charge sheet .

11. He further submitted that in pursuance of the directions of the learned Judge of this Court, charge sheet was filed and they are going to file a supplementary charge sheet and they are going to add the present petitioner as a victim/witness and he has filed a special report of the Deputy Superintendent of Police, Economic Offences Wing, Ramanathapuram,



wherein it has been stated that they have received all the records from the committee along with the claim petitions received; they have shown the present petitioner Pushpathaleesa as witness No.735 and that they are going to file additional charge sheet shortly.

12. In the reply affidavit, the respondent has specifically stated that he did not receive any petitioner's representation. Moreover, the respondent was appointed as a Chairman of the monitoring committee by this Court and according to the respondent, since the company was not co-operating, the committee was not in a position to take necessary steps effectively.

13. As already pointed out, the committee has been dissolved and the jurisdictional EOW police was directed to proceed with the investigation. Moreover, the concerned Police has already filed the primary charge sheet and according to the Deputy Superintendent of Police, they are going to file additional charge sheet shortly including the present petitioner as victim/witness.

14. Recording the submission made by the learned Government Advocate (Criminal Side), and also the special report filed by the Deputy Superintendent of Police, Ramanathapuram, that the petitioner has already



Cont.P.(MD)No.1283 of 2023

shown as victim/witness in the additional charge sheet to be filed, this

Contempt Petition stands closed.

27.02.2026

NCC :Yes/No

Index :Yes/No

Internet : Yes/ No

das



WEB COPY



Cont.P.(MD)No.1283 of 2023

K.MURALI SHANKAR,J.

das

Order made in
CONT.P(MD)No.1283 of 2025
in
W.P(MD)No.27669 of 2022

27.02.2026