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Order QR

IN THE HIGH COURT OF JUDICATURE AT MADRAS

RESERVED ON : 30.09.2026
PRONOUNCED ON : 03.11.2026

CORAM

THE HON'BLE DR.JUSTICE A.D.MARIA CLETE

A. No. 335 of 2025 in
A. No. 5549 of 2023in
C.S. No. 566 of 2015

K.A.Velayutham (Deceased)

K.V.Sukumar
Proprietor, Ambika Appalam Depot, No.17,
Balakrishnan Road, Mylapore, Chennai-600 004.

..Applicant

Vs

K.V.Vijayaraghavan (Deceased)

1.Ambika Appalam Company, Rep., by its Partner
K.V.Vijayaraghavan,
business at No.4, Dr.Nair Road, T.Nagar,
Chennai-600 017.

2.K.V.Vyas
S/o K.V.Vijayaraghavan, Grand
S/o.K.A.Velayutham,

3.Mrs.R.N.Jaya
W/o.K.V.Vijayaraghavan,
having business at No.4,(Old No.25) Dr.Nair
Road, T.Nagar, Chennai-600 017.

..Respondent(s)1 to
3/Defendants 2 to 4

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PRAYER: To punish the respondents for contempt of court committed by them in their wilful and deliberate disobedience of order dated 31.10.2023 passed by this Court in A. No. 5549 of 2023 in C.S. No. 566 of 2015.

For Applicant	M/s.Rajesh Ramanathan S.Sriraman S.Diwakar S. Rishab Narayanan
For Respondent(s):	Mr.N.Kannan for Mr.S.Nambi Arooran.

ORDER

This application has been filed under Order XXXIX Rule 2A of the Code of Civil Procedure, alleging that the respondent deliberately violated the order dated 31.10.2023 passed in Application No.5549 of 2023, directing him to deposit into Court 75% of the rent received from the tenant, M/s. Gericare Pharmacy LLP, in respect of the plaint schedule property.

2. Upon consideration of the respondent's counter affidavit and the report called for from the Registry, it is seen that the respondent has deposited the rent into Court from the date of the aforesaid order, as detailed in the statement furnished by him. However, the respondent made these deposits without intimating the applicant, and the Registry received the amounts without notice to the

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applicant. The absence of such intimation appears to have led to the filing of this application.

3. In view of the deposits confirmed by the Registry, no violation of the order, much less any deliberate violation, is established. Accordingly, this application is dismissed.

4. The main suit has also been disposed of today. Consequently, the aforesaid interim order ceases to operate upon disposal of the suit. The second defendant is at liberty to file an appropriate application seeking payment out of the amount deposited and lying with the bank in the name of the Registrar of this Court. Such application shall be considered on its merits and in accordance with the judgment and decree passed in the suit.

03-11-2026

AY

Index: Yes / No
Neutral citation: Yes / No
Speaking Order / Non-speaking Order

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