

ITEM NO.33

COURT NO.10

SECTION XII

S U P R E M E                      C O U R T   O F   I N D I A  
R E C O R D   O F   P R O C E E D I N G S

Petition(s)      for      Special      Leave      to      Appeal      (Civil)      No(s).11868-11869/2008

(From the judgement and order dated 30/04/2008 in CRP No. 703/2008 and MP No. 1/2008 of The HIGH COURT OF MADRAS)

COMFORT INN &amp; ANR.

Petitioner(s)

VERSUS

PADMINI SIV SUBRAMANIAM &amp; ORS.

Respondent(s)

(With appln(s) for exemption from filing O.T. and directions and permission to file additional documents and with prayer for interim relief and office report)

WITH  
CONMT.PET.(C) NO. 158-159 of 2008 In SLP(C)Nos.11868-11869/2008  
(With office report)

CONMT.PET.(C) NO. 149-150 of 2008 In SLP(C)Nos.11868-11869/2008  
(With office report)

Date: 07/02/2011                      These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI  
HON'BLE MR. JUSTICE ASOK KUMAR GANGULY

For Petitioner(s)                      Ms.Rohini Musa, Adv.

For Respondent(s)                      Mrs.Indu Malhotra, Sr.Adv.  
Mr.P.R.Kovilan Poongkuntran, Adv.  
Mrs.Geetha M.Perumal, Adv.  
Mr. R.V. Kameshwaran,Adv.

Mr.F.Benjamin George, Adv.  
Mr. M.A.Chinnasamy,Adv.  
Mr.K.Krishna Kumar, Adv.

UPON hearing counsel the Court made the following  
O R D E R

Heard learned counsel for the parties.

In reply to the Court's query, the learned counsel representing the Indian Overseas Bank stated that as on today, the

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total amount due to the bank exceeds Rs.7 crores.

From the record, we find that by taking advantage of litigation, the petitioners have successfully frustrated the proceedings initiated by the bank under the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002.

Keeping in view the fact that the petitioners have defaulted

in payment of the Bank's dues, we direct them to deposit the entire outstanding dues within a period of one month from today.

The Branch Manager, Indian Overseas Bank, Tiruchengodu, Namakkal District is directed to indicate the total outstanding dues to petitioner Nos. 1 and 2 and also to their advocate within 48 hours.

If the petitioners fail to comply with this order, the special leave petition and the contempt petitions shall stand automatically dismissed.

If the amount is paid within four weeks and the proof of payment is filed in the Registry of this Court, then the cases be listed for further arguments.

( Satish K.Yadav )  
Court Master

( Phoolan Wati Arora )  
Court Master