

CONT P Nos. 583 of 2009 and 731 of 2008

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-07-2026

CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

CONT P No. 583 of 2009

AND

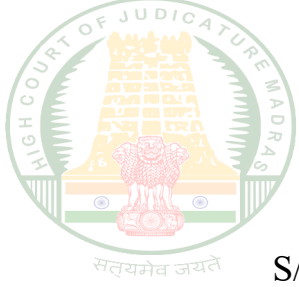
**CONT P NO. 731 OF 2008, SUB APPL NO. 226 OF 2008,SUB APPL NO. 227
OF 2008,SUB APPL NO. 147 OF 2024,SUB APPL NO. 148 OF 2024,SUB
APPL NO. 497 OF 2025**

1. PR.Palaniappan
Thiruvika Illam No 15, AR.A.RM. Street
Karaikudi 630 001 Sivagangai District.
2. PR. Veerappan
Thiru Vi Ka Illam No 15, AR.A.RM. Street
Karaikudi 630 001 Sivagangai District.

..Petitioner(s)

Vs

1. CT.C Nachiappa Chettiar
No 27 Vasuvil Street Kottaiyur 630 106
Sivaganga District.
2. T Rathineswaran



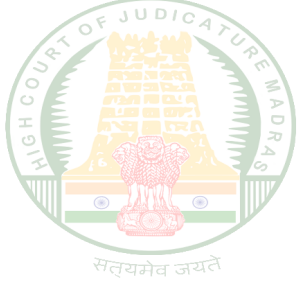
CONT P Nos. 583 of 2009 and 731 of 2008

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S/o. R.K.Ramachandra Servar
Old No.10, New No.23, 7th Cross Street,
Shenoy Nagar, Chennai 600 030.

3. H.Vimala W/o Late Hariharan
Managing Director
Dhanalakshmi Impex Pvt. Ltd. 366E, 36th
Street, TVS Avenue, Anna Nagar West
Extn., Chennai 600 101.
4. S Vairava Sundaram S/o N.Somasundaram
Proprietor, S.K.V. Import And Export 158/6,
Golden Jubilee Flats Padikuppam Road,
Anna Nagar West, Chennai 600 040.
5. R Rajam
W/o Rajasekaran, 366E, 36th Street, TVS
Avenue, Anna Nagar West Extn,
Chennai - 600 101.
6. R Ramachandran
Managing Director, Om Shakthy Agencies
(Madras) Private Limited, No.1, Jawaharlal
Nehru Road, Ekkattuthangal,
Chennai - 600 097.
7. N.Rajaram S/o Neelamegam
No.6, Nandavanam, Boadi Nayakkan Road,
Theni District.

(These petitions are closed against respondents 3 to 5
and dismissed against R6 as per the order of the
Court dated 18.02.2014 in Cont.P.Nos.583 of 2009
and 731 of 2008)



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..Contemnor(s)

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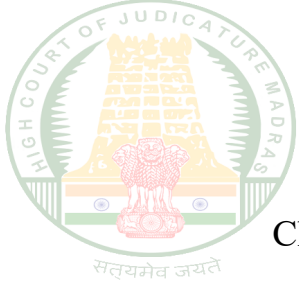
CONT P No. 731 of 2008

1. PR.Palaniappan
Thiruvika Illam No 15, AR.A.RM. Street
Karaikudi 630 001 Sivagangai District.
2. PR. Veerappan
Thiru Vi Ka Illam No 15, AR.A.RM. Street
Karaikudi 630 001 Sivagangai District.

..Applicant(s)

Vs

1. CR. C Nachiappa Chettiar
No 27 Vasuvil Street, Kottaiyur 630 106
Sivaganga District
2. T Rathineswaran
S/o.R.K.Ramachandra Servar, Old No.10,
New No.23, 7th Cross Street, Shenoy Nagar,
Chennai - 600 030
3. H Vimala
W/o Late Hariharan, Managing Director,
Dhanalakshmi Impex Pvt.Ltd., 366e, 36th
Street, Tvs Avenue, Anna Nagar West Extn,
Chennai 600 101
4. S Vairava Sundaram
S/o.N.Somasundaram, Prop.S K V Import
And Export, 158/6, Golden Jubilee Flats,
Padikuppam Road, Anna Nagar West,



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Chennai - 600 040

WEB COPY 5. R Rajam

W/o Rajasekaran, 366e, 36th Street, Tvs
Avenue, Anna Nagar West Extn, Chennai -
600 101

6. R Ramachandran

Managing Director, Om Shakthy Agencies
(madras) Private Limited, No.1, Jawaharlal
Nehru Road, Ekkattuthangal, Chennai - 600
097

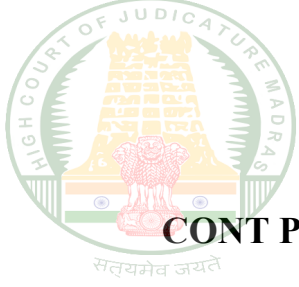
7. Registrar Of Assurances,

Virugambakkam, Chennai 600 083. (7th
Respondent Suo Motu impleaded as per
order dated 29.08.2008 in Contempt petition
No.731/2008)
(Contempt Petition closed against R3 to R5
and dismissed against R6 as per the order of
the Court, dated 18.02.2014 in
Cont.P.Nos.583 of 2009 and 731 of 2008)

..Respondent(s)

CONT P No. 583 of 2009

Petition filed under Section 11 of the Contempt of Courts Act, 1971, to punish the respondents for wilfully violating the order of this Hon'ble Court passed in Contempt No.731 of 2008 dated 19.09.2008.



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CONT P No. 731 of 2008

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Petition filed under Section 11 of the Contempt of Courts Act, 1971, to punish the respondents for wilfully violating the order of this Hon'ble Court passed in O.S.A.No.143 of 2003 dated 24.11.2003.

In both Contempt Petitions:

For Petitioner(s): Mr.P.L.Narayanan, Senior Counsel
for Mr.E.Hariharan & Ms.A.S.Jayaharini

For Contemnor(s): Mr. Mr.P.Subba Reddy
for T.Sri Krishna Bhagavat (for R2)

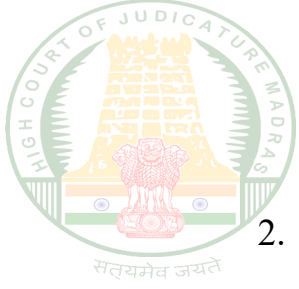
Mr.N.Krishnakumar for Advocate Commissioner

R3 to R5 – Closed vide Court order dated
18.02.2024. R6 – Dismissed dated 18.02.2024.

COMMON ORDER

(Order of the Court was made by Dr.Anita Sumanth J.)

These Contempt Petitions have been filed alleging contempt as against orders of this Court dated 24.11.2003 in OSA No.143 of 2002 and 19.09.2008 in Cont.P.No.731 of 2008.

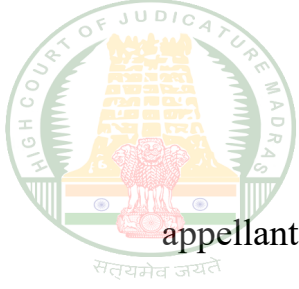


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2. We have vide our order dated 14.07.2026 dismissed the Original Side Appeals as well as allowed the Contempt Petitions finding that there had been violation of the directions of this Court under orders dated 24.11.2003 and 19.09.2008. Our order dated 14.07.2026 may be read as part and parcel of this order and references to 'appeals' and 'schedule of properties' will assume the same meaning as attributed in order dated 14.07.2026.

3. Vide orders dated 24.11.2003 and 19.09.2008, this Court, while setting aside the order passed by the learned single Judge with regard to block No.6 and remanding the matter for fresh consideration, directed the parties to maintain status quo till the disposal of the application and to ensure that no one has to deal with the properties, appointed an Advocate Commissioner and directed to put up a notice board stating *'This property is subject matter of Contempt Petition No:731 of 2008 pending before the High Court of Madras and any one dealing with this property shall do so at his own risk and at the risk of facing contempt proceedings.'*

4. Despite the order of status quo, the contemnors have executed a sale deed dated 11.05.2004 transferring the property to Dhanalakshmi Impex Pvt. Ltd,



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appellant in OSA No. 246 of 2021, whose appeal also we had dismissed vide our order dated 14.07.2026.

5. Having found the appellant guilty, we had listed the matter on 16.07.2026 to hear the appellant on the aspect of sentencing and we have heard the submissions of Mr.P.Subba Reddy for Mr.T.Krishna Bhagavat, learned counsel for the contemnor T.Rathineswaran and Mr.PL.Narayanan, learned Senior Counsel appearing for Mr.E.Hariharan, learned counsel for the petitioner in both Contempt Petitions.

6. Mr.Subba Reddy submits that the sale deeds executed on 11.05.2004 had been cancelled subsequently on 08.04.2010, the contemnor is a senior citizen, the litigation inter se the parties has been on-going for several years, and the contemnor has put forth an apology.

7. Having heard both parties, our decision is as follows:

The contempt committed of this Court's orders dated 24.11.2003 and 19.09.2008 is admitted and hence cancellation of the deed thereafter would not, in our considered view, undo the same. Incidentally no document of cancellation has



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ever been produced. Even the so-called apology is less than lukewarm, and does

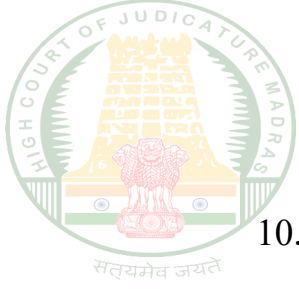
not indicate any regret on the part of the contemnor. In affidavit dated 6th March,

2014, this is what he has to say:

I have never indulged in any act which could be conserved as a Contempt of Court and disobedience of this Hon'ble Court however if this Hon'ble Court has any misconception in the mind then I sincerely tender my unconditional apology and abide any such directions issued by this Hon'ble Court and my unconditional apology may be received and all further proceedings may be dropped directing the parties to abide by the order in civil suit C.S.No.710 of 2002.

8. The language in which the affidavit is couched, makes it evident that the contemnor is hardly contrite and has scant regard for the orders of the Court, as his apology is not for the violation of the orders but only to clear the 'misconception in the mind' of the Court.

9. We are not swayed by the submissions in relation to either the age of the contemnor or the age of the litigation. In fact, the latter point would only enure to the detriment of the contemnor as, precious judicial time of the Court has been usurped, that might have been better spent.



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10. In coming to the above conclusion we draw copiously from the varied observations and conclusions in earlier Court orders, all of which find reference in order dated 14.07.2026, relating to fraud played on the Court by way of impersonation and forgery of documents.

11. In light of the above discussion, we hold the contemnor/R2 – T.Rathineswaran guilty of contempt and sentence him to a week of simple imprisonment with fine of Rs.25,000/-. He shall surrender before K3 Aminjikai Police station on 04.08.2026 and shall be released from prison on 11.08.2026. In the absence of his surrendering as directed aforesaid, we direct the Registry to issue bailable warrant to secure the contemnor and hand him over to K3 Aminjikai Police Station to serve the sentence as per this order.

12. These Contempt Petitions are allowed. Connected Sub-Applications are closed.

(A.S.M.,J.) (S.M.,J.)

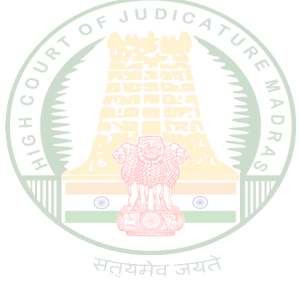
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21-07-2026

Index: Yes/No

Speaking order

Neutral Citation: Yes



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