



L.P.A.No.1 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.08.2026

CORAM :

THE HONOURABLE MR. SUSHRUT ARVIND DHARMADHIKARI,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

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R.Uliveeran
S/o. Rengiah Gowder,
No.1/611, Power House Thottam,
Sirumugai Road,
Mettupalayam - 641 301.

.. Appellant

Vs.

1. Kranthimkumar Pati
The District Collector,
Collector Office, Coimbatore - 641 018.

2. Bhaseer Ahmed
The Assistant Director,
Rural Development (Panchayats),
Coimbatore.

3. Ramamurthi
The Block Development Officer,
Rural Development Office,
Karamadai - 641 104.

4. T.Vimala
The President,
Sikkadasampalayam Panchayat,
Sirumugai Road,
Mettupalayam - 641 301.

.. Respondents



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Prayer :Appeal filed under Clause 15 of the Letters Patent seeking to set aside the order dated 17.03.2025 passed in Cont.P.No.2963 of 2023.

For Appellant : Mr.S.Mohan Raj

For Respondents : Mr.L.Gokulraj
Additional Government Pleader

JUDGMENT

(Judgment of the Court was delivered by
the Hon'ble Chief Justice)

The Letters Patent Appeal challenges the order dated 17.03.2025 passed in Contempt Petition No.2963 of 2023, whereby, the contempt petition was closed, with liberty to petitioner to work out his remedy before the Division Bench of this Court, by way of public interest litigation, in the light of the statement made by learned counsel for respondent State that the order dated 12.08.2022 passed in W.P.No.20673 of 2022 cannot be implemented.

2. Learned counsel for appellant submitted that the learned Single Judge exceeded his jurisdiction in coming to the conclusion that this order cannot be implemented when the original order passed in W.P.No.20673 of 2022 had attained finality and such a direction could



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not have been issued in the contempt petition, as it amounts to exercise of writ jurisdiction under Article 226 of the Constitution of India. Therefore, the order deserves to be set aside.

3. Per contra, learned counsel for State submitted that since the implementation of the order was not feasible, the same was brought to the notice of the learned Single Judge, whereby such an order came to be passed.

4. We have heard learned counsel for parties.

5. The Apex Court, in *Midnapore Peoples' Coop. Bank Ltd. v. Chunilal Nanda*¹, in paragraph 11(V), has held that if the High Court, for whatever reason, decides an issue or makes any direction, relating to the merits of the dispute between the parties, in a contempt proceedings, the aggrieved person is not without remedy. Such an order is open to challenge in an intra-court appeal (if the order was of a learned Single Judge and there is a provision for an intra-court appeal), or by seeking special leave to appeal under Article 136 of the Constitution of India.

¹(2006) 5 SCC 399



6. The scope of contempt jurisdiction is well settled. In *Sudhir Vasudeva v. M.George Ravishekeran*², the Supreme Court clearly delineated the boundaries of contempt powers. At paragraph 19, the Supreme Court held thus:

"19. The power vested in the High Courts as well as this Court to punish for contempt is a special and rare power available both under the Constitution as well as the Contempt of Courts Act, 1971. It is a drastic power which, if misdirected, could even curb the liberty of the individual charged with commission of contempt. The very nature of the power casts a sacred duty in the Courts to exercise the same with the greatest of care and caution. This is also necessary as, more often than not, adjudication of a contempt plea involves a process of self-determination of the sweep, meaning and effect of the order in respect of which disobedience is alleged. The Courts must not, therefore, travel beyond the four corners of the order which is alleged to have been flouted or enter into questions that have not been dealt with or decided in the judgment or the order violation of which is alleged. Only such directions which are explicit in a judgment or order or are plainly self-evident ought to be

²(2014) 3 SCC 373



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taken into account for the purpose of consideration as to whether there has been any disobedience or wilful violation of the same. Decided issues cannot be reopened; nor can the plea of equities be considered. The Courts must also ensure that while considering a contempt plea the power available to the Court in other corrective jurisdictions like review or appeal is not trenched upon. No order or direction supplemental to what has been already expressed should be issued by the Court while exercising jurisdiction in the domain of the contempt law; such an exercise is more appropriate in other jurisdictions vested in the Court, as noticed above. The above principles would appear to be the cumulative outcome of the precedents cited at the Bar, namely, *Jhareswar Prasad Paul v. Tarak Nath Ganguly*, (2002) 5 SCC 352; *V.M. Manohar Prasad v. N. Ratnam Raju*, (2004) 13 SCC 610, *Bihar Finance Service House ConstructionCoop. Society Ltd. v. Gautam Goswami*. (2008) 5 SCC 339, and *Union of India v. Subedar Devassy PV*, (2006) 1 SCC 613.”

[emphasis supplied]

7. The law laid down by the Supreme Court establishes three



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clear rules:

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- (i) A court exercising contempt jurisdiction cannot travel beyond the explicit terms of the original order;
- (ii) Contempt jurisdiction cannot be used to issue fresh, additional, or supplemental directions to expand the original order; and
- (iii) Contempt proceedings cannot re-examine or modify issues already decided, nor can they usurp corrective jurisdictions like review or appeal.

8. Admittedly, the learned Single Judge has exceeded his jurisdiction in interpreting the order dated 12.08.2022 passed in W.P.No.20673 of 2022 as not implementable when there was a specific direction to implement the decision taken in letter dated 28.11.2020 within a specific period.

9. On perusal of the impugned order, it is seen that the learned Single Judge, in fact, had recalled the order dated 12.08.2022 passed in W.P.No.20673 of 2022, instead of dealing with the aspect of non-compliance of the order and issued fresh direction and gave liberty to



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appellant to file public interest litigation, which, certainly amounts to exercising the writ jurisdiction under Article 226 of the Constitution of India, while concluding the contempt petition.

10. In view of the aforesaid and the observation in *Midnapore Peoples' Coop. Bank Ltd.* (supra) and *Sudhir Vasudeva* (supra), the impugned order dated 17.03.2025 cannot be allowed to stand. Accordingly, the same is set aside. The Contempt Petition No.2963 of 2023 is restored to its original position. The learned Single Judge is requested to proceed from that stage and deal with the contempt petition in accordance with law.

11. The appeal stands allowed. There shall be no order as to costs.

(SUSHRUT ARVIND DHARMADHIKARI,CJ) (G.ARUL MURUGAN,J)
19.08.2026

Index : Yes/No
Neutral Citation : Yes/No

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THE HON'BLE CHIEF JUSTICE
AND
G.ARUL MURUGAN,J.

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