



Cont.P.No.1540 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.12.2025

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THE HONOURABLE MR. JUSTICE M.S.RAMESH

Cont.P.No.1540 of 2022

P.Chinnappan

... Petitioner

Vs.

1.R.Kalaiselvan,
The President,
TY. Spl. 69, Koovathur,
Primary Agricultural
Co-operative Credit Society,
Koovathur Post,
Udayarpalayam Taluk,
Ariyalur District.

2. The Superintendent of Police,
Ariyalur District
(R2 *suo motu* impleaded as per order of this Court
made in Cont.P.No.1540 of 2022 dt.07.03.2025)

3.B.Kalaiyaran,
Special Officer of Koovathur Primary
Agricultural Cooperative Credit Society,
Koovathur Post, Udayarpalayam Taluk,
Ariyalur District
(R3 *suo motu* impleaded as per the order of this Court
in Cont.P.No.1540 of 2022 dt. 04.04.2025)

... Respondents



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Prayer: Contempt Petition filed under Section 11 of Contempt of Courts Act, praying to punish the respondent for wilfull disobedience of the order made in W.P.No.22200 of 2017 dated 03.02.2022.

For Petitioner : Mr.M.Muthusamy
For Respondents : Mr.M.Himavanth for R1
Mr.Ramanlaal
Additional Advocate General
assisted by Mr.M.Muthusamy for R2
Mrs.V.Yamunadevi
Special Government Pleader for R3

ORDER

I had passed an order in Cont.P.No.1540 of 2022 dated 21.11.2025, whereby the contemnor was sentenced to undergo simple imprisonment for one month in the civil prison, and adjourned the matter to 12.12.2025 for recording compliance. However, it was mentioned before me that the order passed in W.P.No.22200 of 2017 had already been complied with and, therefore, the Contempt Petition is listed before me today.

2. Today (08.12.2025), I have allowed the Review Application filed by the third respondent in Rev.Aplo.No.19 of 2025, which reads as follows:



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““As against the orders passed in Cont.P.No.1540 of 2022, finding the third respondent / Contemnor guilty of disobedience of the order passed in the Writ Petition in W.P.No.22200 of 2017 dated 30.02.2022 and sentencing him to one month simple imprisonment in the Civil Prison, the present Review Application has been filed.

2. In the said orders passed in the Contempt Petition, I had taken into account past hearings, in which opportunities were given to the contemnor to comply with the order, commencing from 26.10.2022, till the date on which such orders were passed.

3.The main ground on which the present Review Application filed is that the third respondent herein had taken over the office of Special Officer of the Society with effect from 04.09.2024 onwards. However, this aspect was not brought to the notice of this Court and therefore, the failure on the part of the contemnor / third respondent to comply with the order in the Writ Petition, was recorded by me in the following manner:

“(i) On 26.10.2022, after giving two earlier opportunities to the contemnor to comply with the order passed in the Writ Petition, statutory notice was issued and the matter was listed on 22.11.2022;

(ii) Thereafter, at the instance of the contemnor, the Contempt Petition was adjourned twice on 30.08.2023 and 12.09.2023;



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(iii) On 09.02.2024, the learned Government Advocate had submitted that they would produce a cheque for Rs.5,00,000/- in the next hearing, and accordingly, the matter was adjourned;

(iv) On 22.11.2022, the contemnor appeared before this Court and represented that the society has no funds and hence, they are not in a position to settle the amount immediately and therefore sought for further time;

(v) Thereafter, on 16.02.2024, a cheque for Rs.4,60,000/- and Rs.40,000/-, totalling to Rs.5,00,000/- was handed over to the petitioner;”

4. It is on the basis of these conducts on the part of contemnor, I had come to the conclusion that the disobedience alleged in the Contempt Petition was wilfull in nature and accordingly, had imposed the punishment.

5. The learned counsel appearing for the respondent / Writ Petitioner also ratifies that the contemnor had joined the office only on 04.09.2024, and prior to that, the first respondent was the president of the society.

6. Since the substantial portion of the disobedience recorded by me in the order passed in the Contempt Petition, was when the first respondent was the president and not the present contemnor, I am inclined to entertain the grounds raised in this Review Application.

7. Accordingly, the order passed in the Contempt Petition No.1540 of 2022 dated 21.11.2025, stands recalled



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and reviewed as follows:

“It is represented by the learned counsel for the petitioner, as well as the third respondent that the first respondent’s entire retirement benefits, along with interest, amounting to Rs.20,55,072/- has been paid on various dates between 17.10.2016 to 11.07.2025. As such the disobedience alleged may not be wilfull in nature and accordingly, the Contempt Petition No.1540 of 2022 stands closed.”

8. In view of the above, the Review Application stands allowed.””

3. In view of the above, no further orders are required to be passed in the present Contempt Petition and the same stands closed.

08.12.2025

(2/3)

Index:Yes/No
Speaking/Non-speaking order
Neutral Citation:Yes/No
Anu



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M.S. RAMESH,J.

Anu

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