



WEB COPY

Cont.A.No.21 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

<i>Reserved on</i>	<i>20.08.2025</i>
<i>Pronounced on</i>	<i>10.10.2025</i>

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH
AND
THE HONOURABLE MR. JUSTICE V. LAKSHMINARAYANAN

Cont.A.No.21 of 2025
and C.M.P.No.12345 of 2025

Mr.A.Sathyan, Tahsildar,
 Madukkarai,
 Madukkarai Taluk Office,
 Coimbatore – 641 105.

... Appellant

Vs.

1.Murugathal

2.Mrs.Shri Malathi,
 The Special Tahsildar (LA),
 Adi Dravidar Welfare,
 Coimbatore District Collectorate Complex,
 Coimbatore – 641 105.

3.Mr.Vijayakumar,
 Village Administrative Officer,
 Vellalur Village Administrative
 Officer Office, Vellalur,
 Coimbatore – 641 111.

... Respondents

[R2 & R3 have given up vide Court's order dated 27.06.2025 (recorded) in Cont.A.No.21 of 2025 by MSRJ & VLNJ]



Cont.A.No.21 of 2025

Prayer: Contempt Appeal filed under Section 19 of the Contempt of Courts Act, 1971, praying to set aside the order passed in Cont.P.No.3064 of 2024 dated 28.04.2025 and allow this Contempt Appeal.

For Appellant : Mr.R.Ramanlaal,
Additional Advocate General
assisted by Mr.T.Arun Kumar,
Additional Government Pleader

For R1 : Mr.S.Lakshminarayanan

For R2 & R3 : Given up

JUDGMENT

M.S.RAMESH, J.

This Contempt Appeal arises out of an order passed in Contempt Petition No.3064 of 2024 dated 28.04.2025, wherein the learned Single Judge had found the contemnors of having committed 'civil contempt' and sentenced the appellant herein to undergo simple imprisonment for a period of one month and to pay the compensation of Rs.25,000/- to the first respondent herein/petitioner in the Contempt Petition.



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2. The aforesaid Contempt Petition arises out of an order passed in W.P.No.501 of 2024 dated 10.01.2024. The grievance of the writ petitioner is that his representation given before the Revenue Authorities seeking not to grant E-Patta to the sixth respondent therein has not been considered and therefore, he sought for issuance of a Writ of Mandamus. The learned Single Judge, while passing final order in the Writ Petition on 10.01.2024, had directed the concerned respondents therein to consider the writ petitioner's representation, within a period of two months from the date of receipt of a copy of the Writ Order. Alleging disobedience of this order, the Contempt Petition came to be filed. The contemnor in Cont.P.No.3064 of 2024 is the Tahsildar, who has filed this Contempt Appeal.

3. The learned Additional Advocate General appearing for the appellant herein submitted that the Special Tahsildar had complied with the order passed in the Writ Petition by considering the representation of the first respondent herein, conducting an inquiry and thereafter rejecting the request on 12.02.2025. He further submitted that he had filed a compliance report before the learned Single Judge in Cont.P.No.3064 of 2024 and had also



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tendered an unconditional apology before the Court without any reservation, for any act of commission or omission.

4. The learned Single Judge had recorded that the counter affidavits filed by the individual contemnors were not satisfactory to the Court, since all of them have similar overt acts. The learned Single Judge had rejected the explanation offered by the contemnors that the delay in complying with the Court's order was due to the announcements and conduct of Parliamentary General Elections 2024, for which the respondents were assigned with various election duties. According to the learned Single Judge the order was passed way back on 10.01.2024 and the elections were held on 19.04.2024 and even assuming that they were engaged in the election duties, the same could be only upto 10.09.2024, whereas the final order came to be passed only on 12.02.2025. Though the specific direction in the Writ Petition was to conclude within 2 months, the final order came to be passed after much delay, causing serious prejudice to the writ petitioner. In this background, the learned Single Judge was of the view that the contemnors have committed civil contempt and accordingly, punished them under Section 12 of the Contempt of Courts Act, as detailed above.



5. In our view, the learned Single Judge had rightly arrived at such a decision and hence, no interference is required to the findings.

6. With regard to the quantum of punishment, the Hon'ble Supreme Court, in '*Pushpaben and another Vs. Narandas V.Badiani and another*' reported in *AIR 1979 SC 1536*, had, while interpreting Section 12(3) of the Contempt of Courts Act 1971, held that there is no room for doubt that in normal circumstance, a sentence of fine should be imposed. However, the Act has conferred special powers on the Court to award punishment, if the ends of justice so require. By observing so, it held that the Court must properly apply its mind and give special reasons that a sentence of imprisonment alone is called for in a particular situation. As per the said decision, while imprisonment is an exception, fine is the general rule.

7. In the present case, the Contempt Court has not recorded any special reasons, as to why imprisonment was awarded together with the compensation amount. In our view, the Contempt Court could have restricted the punishment to fine alone, as contemplated under Section 12 of the Contempt of Courts Act, since no such reasons have been assigned for



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the sentence of imprisonment.

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8. On this view, we are inclined to interfere with the order of the learned Single Judge made in the Contempt Petition, insofar as it sentences the appellant herein to one month simple imprisonment.

9. Accordingly, para 16 of the impugned order dated 28.04.2025 in Cont.P.No.3064 of 2024, insofar as it sentences the appellant to undergo simple imprisonment for one month, is set aside. All other observations and findings in the impugned order are confirmed.

10. The Contempt Appeal stands disposed of accordingly. Connected miscellaneous petition is closed.

[M.S.R, J.]

[V.L.N, J.]

10.10.2025

Index: Yes

Speaking order

Internet: Yes

Neutral Citation: Yes

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M.S.RAMESH, J.
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judgment made in
Cont.A.No.21 of 2025

10.10.2025