



Cont.P.No.3246 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.12.2025

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Cont.P.No.3246 of 2025

M.Krishnamoorthy

.. Petitioner

Versus

V.Ravi,
Managing Director,
Thirupattur Co-op. Sugar Mills Ltd.,
Kethandapatti,
Thirupattur District – 635 815.

.. Respondent

Prayer : Contempt Petition filed under Section 11 of the Contempt of Court Act, 1971, to punish the respondent for having acted in disobedience of the order passed by this Court in the Writ Petition No.17364 of 2022 order, dated 08.07.2022.

For Petitioner : Mr.S.Ezhil Raj

For Respondents : Mr.J.Ravindran,
Additional Advocate General,



WEB COPY



Cont.P.No.3246 of 2025

Asstd. By Mr.M.Alagu Gowtham,
Government Advocate



Cont.P.No.3246 of 2025

ORDER

WEB COPY

This Contempt Petition is filed complaining willful disobedience of the order, dated 08.07.2022 made in W.P.No.17364 of 2022. The said Writ Petition was filed for a mandamus directing the respondent to issue balance 8 days gratuity amount with interest to the petitioner.

2. The Writ Petition was disposed of with a direction to the petitioner to make a representation before the concerned authority and on such representation being received, the first respondent was directed to consider the representation and to pass appropriate orders as early as possible.

3. When the Contempt Petition was taken up for hearing, on behalf of the respondent, the learned Additional Advocate General appears and places the order, dated 06.02.2025 that was passed on the representation of the petitioner. By the said order, the representation of the petitioner was



Cont.P.No.3246 of 2025

rejected. Therefore, the learned additional Advocate General would submit when the order under question has been complied with, the Contempt Petition has to be closed.

4. Per *contra*, the learned Counsel for the contempt petitioner would draw the attention of this Court to the paragraph No.5 of the order passed in the Writ Petition. It is on behalf of the respondent, they placed on record as if already orders have been passed in the similar matter in W.P.Nos.18079 of 2016 and 30926 of 2017 on 11.03.2021 and if the petitioner makes a representation, they will consider the same. After making such a representation and leading this Court to pass the order based on the said representation, now, they cannot turn around and say that the earlier Writ Petition was filed in respect of some other Society and the same is not applicable to the petitioner. This conduct of the respondent itself amounts to interference with the course of justice and is



Cont.P.No.3246 of 2025

contemptuous. Therefore, the learned Counsel for the petitioner would submit that the contempt proceedings be continued against the respondent.

5. The learned Counsel for the petitioner would also submit that the order of the learned Single Judge, in the earlier set of cases, was also confirmed by the Division Bench by the order, dated 20.06.2024 in W.A.No.361 of 2024 etc.

6. As rightly pointed out by the learned Counsel for the contempt petitioner, the fact as if the earlier order is applicable to the case on hand, was placed on record only by the learned Counsel for the respondent and not by the learned Counsel for the petitioner. If the respondent is of the view that the earlier order is not applicable, then, he ought not to have placed the same before the earlier Writ Petition and after making the Court to pass an order based on the representation, now, he is seeking to distinguish the earlier order. Be that as it may, since, in the operative



Cont.P.No.3246 of 2025

WEB COPY

portion of the order, the Court ultimately said only to consider the representation and did not make it mandatory to pass orders in the lines of the earlier order, still, there is scope to argue that the violation is not willful. Only with that limited extent and if the contempt proceedings are continued for interfering with the course of justice for making wrong representation and insisting upon the filing of review, that will only take more time for the petitioner to realise the fruits, if he is entitled for the 8 days additional gratuity. Instead thereof, the petitioner can be given liberty to file a Writ Petition, in which, this Court can consider the same on merits whether he is entitled for the additional 8 days gratuity or not and give the relief one way or the other after hearing the respondent Society on merits. It is made clear that no plea with reference to any other alternative remedy will be entertained and this Court will consider on merits whether the petitioner will be entitled to gratuity for the additional period of 8 days as claimed by him or not.



Cont.P.No.3246 of 2025

WEB COPY

7. With the above observations and granting the petitioner the liberty to file a Writ Petition by challenging the order that was passed on 06.02.2025, this Contempt Petition stands closed. There shall be no order as to costs.

02.12.2025

Neutral Citation : no
grs



WEB COPY



Cont.P.No.3246 of 2025

D.BHARATHA CHAKRAVARTHY, J.,

grs

Cont.P.No.3246 of 2025



WEB COPY



Cont.P.No.3246 of 2025

02.12.2025