



Cont.A.No.27 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.09.2025

C O R A M

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

AND

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

Cont.A.No.27 of 2025 and

C.M.P.No.13138 of 2025

in Cont.P.No.2790 of 2024

Thiru.Anshul Mishra I.A.S.,

Member Secretary,

Chennai Metropolitan Development Authority,

Chennai-600 008.

... Appellant/Respondent

-VS-

1. Mrs.R.Lalithambal

2. Mr.K.S.Viswanathan

... Respondents/Respondents

Prayer: Contempt Appeal is filed under Section 19 of the Contempt of Courts Act, 1971, praying to allow the Contempt Appeal and set aside the order dated 28.04.2025 passed in Cont.P.No.2790 of 2024 on the file of the High Court, Chennai.

For Appellant : Mr.Srinath Sreedevan
Senior Advocate
For Mr.P.Veena Suresh

For Respondents : Mr.R.Jagadeesan

ORDER



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(By J.Nisha Banu,J.)

This Contempt Appeal has been filed, seeking to set aside the order dated 28.04.2025 passed in Cont.P.No.2790 of 2024, by which the appellant herein was sentenced to undergo simple imprisonment for a period of one month, with further direction to pay a compensation of Rs.25,000/- to the respondents herein within three weeks, in default to undergo further period of simple (civil) imprisonment for ten days.

2. Learned Senior Counsel for the appellant submitted that even before issuance of the Statutory Notice, the order of this Court had been duly complied with, inspite of which, learned Single Judge proceeded to punish the appellant for the contempt of Court under Section 12 of the Contempt of Courts Act. He further submitted that the appellant has already deposited the amount as ordered by this Court dated 28.04.2025.

3. Learned counsel for the respondents contended that of late, it has become the practice of the Officials to comply with the orders of this Court after filing contempt petitions without giving due regards to the orders



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of this Court. The Writ Petitioner obtained orders from this Court as early as on 22.11.2023 and the appellant herein filed the compliance report only on 17.04.2025 after a lapse of nearly 18 months. There was no proper explanation forthcoming for such delay and taking serious note of the inaction on the part of the appellant, the learned Single Judge rightly imposed civil imprisonment, which would be a lesson for other Officials to comply with the orders of this Court in letter and spirit in time. If an Officer in the rank of IAS or IPS is confined in jail for some days for disobedience of the orders of this Court, they will come to know of the nuances, consequences and repercussions of non-compliance of the orders of this Court. Therefore, the appeal is liable to be dismissed and the order passed by the learned Single Judge may be upheld.

4. Heard the learned Senior Counsel for the appellant, learned counsel for the respondents and perused the documents available on record.

5. It is seen from records that the appellant has complied with the orders of this Court, even before issuance of the Statutory Notice. The Statutory notice was issued by this Court on 13.03.2025. However, the



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direction issued in the main Writ Petition was complied by appellant by his communication dated 28.02.2025 in his letter No.K1/9547/1996. In paragraph 10 of the order passed by learned Single Judge, it was observed that there had been no sincere effort to rectify the lapse on the part of the appellant. However, a perusal of typed set would indicate that the order has been complied with, even prior to issuance of statutory notice. Hence, observation of learned Single Judge as if there has been no effort to rectify the lapse even after issuance of statutory notice may not be factually correct. However, the delay in complying with direction has to be viewed seriously in the absence of genuine reasons. The explanation offered by appellant in the affidavit filed in support of the petition, seeking suspension of the order passed in Contempt Petition, has not been mentioned in the compliance report filed before learned Single Judge. Hence, this Court express its strong displeasure over the undue delay on the part of the appellant in complying the order. In any event, taking into consideration, the order under Contempt has been complied even prior to issuance of statutory notice, we feel that conviction of appellant for wilful disobedience of orders passed by this Court is not warranted. Hence, the impugned order is set aside and the



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contempt appeal stands allowed. The amount deposited by appellant is permitted to be withdrawn by him. No costs. Consequently, connected miscellaneous petition is closed.

(J.N.B.J.) (S.S.J.)
15.09.2025

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Internet: Yes / No
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J.NISHA BANU, J.



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