



Contempt Petition No. 3107 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated : 19.09.2025

CORAM

THE HONOURABLE Dr. JUSTICE R.N.MANJULA

Contempt Petition No. 3107 of 2025

M.Murugan

... Petitioner

Vs.

Dr.P.Sundravadivel
The General Manager
Krishnagiri District Co-operative
Milk Producers Union Ltd.
Kanagamutulu Post, Salem Main Road
Krishnagiri District – 635 001.

... Respondent

PRAYER: Contempt Petition filed under Section 11 of the Contempt of Courts Act to take appropriate action under the Contempt of Courts Act, 1971 respondent for willful and deliberate disobedience of the order dated 18.10.2024 passed in W.P. No. 29572 of 2024 and consequently, punish the respondent in accordance with law, in the interest of justice.

For Petitioner : Mr.P.R.Thiruneelankandan



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ORDER

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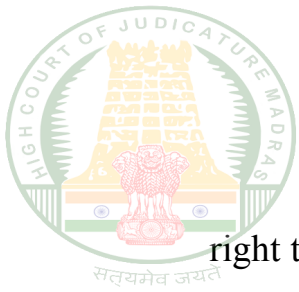
This Contempt Petition has been filed consequent to an order of this Court dated 18.10.2024 in W.P. No. 29572 of 2024.

2. The 1st respondent has filed this Contempt Petition seeking to enforce the impugned order that was under challenge in the batch of writ petition in W.P. No. 29404 of 2024 etc., batch. Insofar as this writ petition is concerned, this petitioner, who stood as respondent in the writ petition, has not been granted with any relief.

3. The petitioner in the writ petition has only filed a writ petition seeking to set aside the order of the 2nd respondent dated 15.06.2020.

4. Considering the fairness of the order dated 15.06.2020, the writ petition got dismissed.

5. So, the respondent has now filed this Contempt Petition saying that the order of the 2nd respondent dated 15.06.2020 has got merged with the order of the dismissal passed in this writ petition and hence, he has a



right to maintain the Contempt Petition before this Court.

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6. The learned counsel for the respondent submitted that the Doctrine of Merger would apply and hence, his contempt petition has to be taken up for consideration.

7. First of all, the order passed in this writ petition is not an appeal remedy given to either of the parties. The order has been passed in the writ petition under Article 226 of the Constitution of India and not in any Statutory Appeal filed challenging the order dated 15.06.2020. Even for the orders passed in appeal, the enforceability can be done only in a manner known to law.

8. For example, if a person has been given a decree by the trial Court and the Appellate Court also confirms the same, then the decree holder cannot express his right to enforce the decree by the Appellate Court but only through the Court which has passed the original decree.



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Dr. R.N.MANJULA, J.

Maya

9. If these types of contempt petitions are allowed to be taken on file then each of the respondents against whom the petitioners have lost their writ petitions will start filing contempt petition saying that they have the right to enforce the order under challenge in their respective writ petitions. Such abuse of process of law cannot be entertained.

10. In view of the above reasons, the Contempt Petition stands dismissed. No costs.

19.09.2025

Index :Yes/No

Maya

To

The General Manager
Krishnagiri District Co-operative
Milk Producers Union Ltd.
Kanagamutulu Post, Salem Main Road
Krishnagiri District – 635 001.

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