



L.P.A.No.57 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.10.2025

CORAM

**THE HONOURABLE MR.JUSTICE R.SURESH KUMAR
and
THE HONOURABLE MR.JUSTICE HEMANT CHANDANGOUDAR**

**L.P.A.No.57 of 2025
and
C.M.P.No.25460 of 2025**

Nithish Kumar @ Ranjeet Kumar

... Appellant

-Vs-

1. Shankar Ganesh,
The Deputy Superintendent of Police,
Kanchipuram District.

2. K.Amutha

... Respondents

PRAYER : Appeal filed under Clause XV of Letters Patent, against the order dated 10.10.2025 in Contempt Petition No.2734 of 2025.

For Appellant : Mr.S.Chellapandian
for Mr.R.Gokulakrishnan

J U D G M E N T

(Judgment of the Court was delivered by **R.SURESH KUMAR, J.**)

This letters patent appeal has been directed against the order dated 10.10.2025 made in Contempt Petition No.2734 of 2025.



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2. The present appellant was the second contemnor in the contempt petition and the fourth respondent in the writ petition, i.e., W.P.No.11025 of 2024. In fact the second respondent herein filed the said writ petition challenging the order of the Revenue Divisional Officer refusing to cancel the settlement deed made by her late husband in favour of her grandson, i.e., present appellant under Section 23 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007.

3. In the said writ petition, an interim order was passed by which in one portion of the property, the second respondent, i.e., writ petitioner / grandmother was directed to be put in. Since that order passed by the writ Court was not complied with, the second respondent moved the said contempt petition where the said order dated 10.10.2025 has been passed to the following effect:

"4. The learned counsel appearing for the 2nd respondent would submit that already the petitioner / grand mother owned a property in her name and she is residing along with her younger son, in which, the 2nd respondent need not give shelter to the petitioner. However, the present writ petition is filed by the grand mother as against the Revenue Divisional Officer for cancellation of settlement



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deed and for compensation. The Revenue Divisional Officer issued a direction to put the grand mother in one of the portions of the 2nd respondent. The 2nd respondent has not preferred any appeal as against the said order of the Revenue Divisional Officers. Hence, arguments advanced by the learned counsel for the 2nd respondent is impermissible.

5. However, the law Enforcing Agency, who appeared before this Court is directed to vacate the 2nd respondent in one of his portions and, put the grand mother in the said portion and allow the 2nd respondent to reside in the another portion which is available to him. The Deputy superintendent of Police / 1st respondent, who appeared before this Court shall file a report with regard to possession given to the petitioner before this Court by 17.10.2025.

Post on 17.10.2025 'for reporting compliance'."

4. Aggrieved over the same, the present letters patent appeal has been directed.

5. Heard Mr.S.Chellapandian, learned counsel appearing for the appellant.

6. It is an admitted fact that as against the order that was passed in the writ petition to put second respondent / grandmother in possession of a portion of the property which is in question, no appeal has been filed, therefore that order has become final. when that being so, that order since has not been complied with, the second respondent / grandmother has moved the said contempt petition where the direction has been given through the impugned order dated 10.10.2025.



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7. In our considered view, having allowed the order passed in the writ petition to become final, non compliance certainly leads to the person who got such an order to approach the Court by filing contempt petition, where, if any order is passed by the Court exercising its contempt jurisdiction, that cannot be challenged in isolation, as has been done by the present appellant in the letters patent appeal.

8. In that view of the matter, we are not inclined to entertain this Letters Patent Appeal, the same is liable to be dismissed, accordingly, it is dismissed. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

(R.S.K., J.) (H.C., J.)
16.10.2025

NCC : Yes / No

Index : Yes / No

Speaking Order : Yes / No

vji

To

The Deputy Superintendent of Police,
Kanchipuram District.



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