



Cont.A.(MD) No.9 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.12.2025

CORAM

THE HONOURABLE **DR.JUSTICE G. JAYACHANDRAN**
AND
THE HONOURABLE **MR.JUSTICE K.K. RAMAKRISHNAN**

Cont.A.(MD) No.9 of 2019

Ponruby Mercy

... Appellant

Vs.

W.Ponnuthai

... Respondent

Prayer : Contempt Appeal filed under Section 19(1) of the Contempt of Courts Act, 1971 to set aside the order of the learned Single Judge of this Court in Contempt Petition (MD) No.642 of 2019 in S.A.(MD) No.90 of 2018 dated 24.07.2019.

For Appellant : Mr.P.Saravanan

For Respondent : Mr.H.Arumugam

J U D G M E N T

[Judgment of the Court was made by **DR.G.JAYACHANDRAN, J.**]

This Contempt Appeal has been filed seeking to set aside the order passed by the learned Single Judge of this Court in Contempt Petition (MD) No.642 of 2019 in S.A.(MD) No.90 of 2018, dated 24.07.2019.



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WEB COPY 2. Dispute between the mother-in-law and the daughter-in-law regarding the occupation of the disputed property reached finality on disposal of the Second Appeal in S.A.(MD) No.90 of 2018 on 24.07.2019. It is to be noted that the suit began with O.S.No.12 of 2007 on the file of the learned Additional District Munsif, Nanguneri. Even after the disposal of the Second Appeal, the possession of the property was not handed over to the mother-in-law, who is the successful litigant, despite the undertaking given by the daughter-in-law that she will vacate the premises within a period of one year.

3. Thus, the contempt proceedings came to be initiated by the successful plaintiff, the mother-in-law. Even in the contempt petition, they experienced the wilful disobedience demonstrated by the contemnor, who is the appellant herein. This warranted punishing her for contempt by directing her to undergo one month R.I.

4. Being aggrieved by the order of conviction, this Contempt Appeal was filed, wherein this Court suspended the sentence *vide* order dated 14.08.2019, pending disposal of the Contempt Appeal.



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5. When the matter was taken up for consideration today, the learned counsel appearing for both sides submitted that the appellant has vacated the premises and handed over possession, and, taking into consideration her conduct, sought for leniency.

6. From the records, this Court finds that the appellant, after the order passed by the learned Single Judge of this Court imposing one month R.I. for a contemptuous act, was confined in the Special Prison for Women at Madurai and was later released on suspension of sentence by this Court on 14.08.2019. She was in prison for a period of less than one month.

7. In view of the above facts, this Contempt Appeal is partly allowed, and the period of imprisonment is modified to the extent already undergone.

[G.J., J.] & [K.K.R.K., J.]

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JEN

Index : Yes / No

Internet : Yes / No

Neutral Citation : Yes / No



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WEB COPY To

The Superintendent of Prisons,
Special Prison for Women,
Madurai.



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DR.G.JAYACHANDRAN, J.
AND
K.K.RAMAKRISHNAN, J.

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