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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :25.11.2025

CORAM

THE HONOURABLE MS.JUSTICE P.T.ASHA

CONT.P(MD).No.2503 of 2023
in W.P.No(MD).3824 of 2020

K.Murugesan

... Petitioner

Vs.

1.M.Raja

2.The Deputy Registrar of Co-opertive Societies,
Uthamapalayam,
Theni District.

... Respondents

(R2 is suo motu impleaded as per Court order dated 16.10.2024 in
Cont.P(MD).No.2503 of 2023)

PRAYER: Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971, to punish the respondent herein for his wilful disobedience of the order passed by this Court in W.P(MD).No.3824 of 2020 dated 26.06.2023.

For Petitioner : Mr.R.Subramanian
Senior Counsel
for Mr.M.Saravanan

For Respondents : Mr.P.R.Prithiviraj (for R1)
Mr.D.Sasikumar (for R2)
Additional Government Pleader



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ORDER

This Contempt Petition has been filed to punish the contemnor for wilful disobedience of the order passed by this Court in W.P(MD).No.3824 of 2020 dated 26.06.2023.

2. In the order dated 26.06.2023, this Court has passed the following direction in W.P(MD).No.3824 of 2020:

“

10(i)The society shall receive the principal alone from the petitioners, taking into account the fact that no action has been initiated by them against the real culprit and by their inaction they have managed to allow the main culprit goes scot-free. The said principal amount will be deposited within a period of two weeks from the date of receipt of a copy of this order.

.....”

3. At that point in time, it was not brought to the notice of this Court either by the petitioner or by the fifth respondent that the petitioner has already deposited the principal and interest pending disposal of the writ petition. Considering the fact that this Court had directed the fifth respondent society to receive only the principal, the natural corollary is that the interest has to be refunded back to the petitioner. I do not find any ambiguity in the order in



question. However, in order to ensure that the order is understood in its true spirit and effect, it is made clear that the clause 10(i) shall stand appended with the following clarification:

“in case the petitioner has already deposited the principal and the , the fifth respondent society shall only retain the principal amount and shall refund the interest.”

4. This Court is *suo motu* reviewing the earlier order in the light of the direction of Hon'ble Supreme Court.

5. The interest amount shall be refunded to the petitioner within a period of 8 weeks from the date of receipt of a copy of this order.

6. In view of the fact that the fifth respondent had doubt with reference to the language of the order, contempt has not been made out as of now. Therefore, this Contempt Petition is closed.

25.11.2025

NCC:yes/no
Index:yes/no
Internet:yes/no
Rmk



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P.T.ASHA, J.

Rmk

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in W.P.No(MD).3824 of 2020

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