



Cont.P.No.527 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 25.06.2026

CORAM

THE HONOURABLE MR.JUSTICE T.VINOD KUMAR

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K.Chelladurai,
Leading Fire Man, (Incharge Station
Officer), Surandai, Thirunelveli
District, Residing at No. 2/96,
Kundalavalavu, Melakunathur,
Thirunelveli - 6.

Petitioner(s)

Vs

Abhash Kumar, I.P.S.,
DGP/Director, Fire and Rescue
Services, No. 17, Rukmani
Lakshmipathy Road,
Egmore, Chennai - 600 008.

Contemnor(s)

Prayer: This Contempt Petition is filed Section 11 of the Contempt of Courts Act, 1971, to punish the respondent for his willful disobedience of the order made in W.P.No.4640 of 2012 dated 30.03.2021.



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For Petitioner(s): Mr.S.Illamvaludhi

For Respondent(s): Mr.C.P.Goutham
Government Advocate

ORDER

This Contempt Petition is filed to punish the respondent for his willful disobedience of the order made in W.P.No.4640 of 2012 dated 30.03.2021.

2. The order copy was uploaded on the High Court website/portal thereafter. The petitioner applied for certified copy of the order on 30.03.2021 and the same was made ready on 26.07.2021 and delivered on 02.08.2021.

3. On behalf of the petitioner, it is contended that this Court giving had given the following directions: (i) That there shall be a direction to consider the request of the petitioner's representation dated 05.02.2012 and accordingly, decide the same on merits and in accordance with law. (ii) While deciding the same, the power of the respondent to invoke 39(a) (i) of the Tamil Nadu State and Sub-ordinate Service Rules can be



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explored and in this context, the fact that the petitioner had been put In-charge as Station Fire Officer before his superannuation shall also be taken into account. By taking all these aspects, a reasoned order can be passed by the respondent on the representation of the petitioner dated 05.02.2012 as indicated above within a period of three months from the date of receipt of a copy of the order. It is contended that the respondent did not comply with the order and have wilfully disobeyed the order.

4. The learned counsel for the petitioner submitted that despite the petitioner following up the matter with the respondent, the respondent kept the issue pending and as such, the petitioner was constrained to file the present contempt case on 28.01.2025.

5. I have taken note of the aforesaid submission made on behalf of the petitioner.

6. At the outset, it is to be noted that Section 20 of the Contempt of Courts Act, 1971 prescribes the limitation of one year for initiating contempt proceedings.



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7. This Court by order dated 28.11.2025 in Cont.P.Nos.2599 and 3033 of 2025 and by order dated 12.09.2025 in Cont.P.No.2706 of 2025 had considered the scope of Section 20 of the Contempt of Courts Act, 1971 (for short 'Act 1971') and Article 215 of the Constitution of India, and also as to what would constitute continuing cause of action.

8. This Court having regard to the law declared by the Hon'ble Apex Court in the case of *S.Tirupathi Rao V. M.Lingamaiah and others* reported in **2024 SCC online 1764**, has held that Section 20 of the Contempt of Courts Act, being a specific provision, the contempt petition has to be filed within one years when the cause of action arises.

9. In the facts of the present case, the cause of action for the petitioner to initiate action for contempt had arisen on expiry of three months granted by this Court from the date of receipt of a copy of the order dated 30.03.2021. The petitioner not only did not take steps thereafter within time prescribed under the Contempt of Courts Act, but remained silent for a considerable length of time and approached this Court by filing the present contempt case nearly four years later.



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10. Having regard to the decision of the Hon'ble Apex Court and this Court as herein above, the present contempt petition cannot be entertained, having been filed beyond the limitation prescribed under the Act, 1971.

11. Accordingly, this Contempt Petition is dismissed. However, it is open for the petitioner to work out remedy available to him in law.

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Index : Yes/No
Speaking order : Yes/No
dna



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