



Cont.P.No.991 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

Cont.P.No.991 of 2025

R. Kennedy,
S/o.Y.Rayappan, No.548, Rajiv
Nagar, Balakrishnapuram,
Dindigul-624 005.

Petitioner(s)

Vs

1. J. Kumarakurubaran, I.A.S.,
The Secretary to Government
School Education Department, Fort
St. George, Chennai-600 009.

2.Thiru.V.Vijayakumar
The Joint Director of School
Education (Vocational Education)
College Road, Chennai-600 006.

3.Tmt. P.Usha,
Chief Educational Officer, Palani
Road, Dindigul-624 001.

Contemnor(s)



Cont.P.No.991 of 2025

WEB COPY

Prayer: This Contempt Petition is filed Section 11 of the Contempt of Courts Act, 1971, to punish the respondents for willful disobedience of the orders passed in W.P.No.13696 of 2018 dated 25.08.2022.

For Petitioner(s): Mr.S.Kamadevan

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

ORDER

This Contempt Petition is filed to punish the respondents for willful disobedience of the orders passed in W.P.No.13696 of 2018 dated 25.08.2022.

2. The order copy was uploaded on the High Court website/portal thereafter. The petitioner however, applied for certified copy of the order on 31.01.2025 nearly after three years and the same was made ready on 03.02.2025 and delivered on 04.02.2025.



Cont.P.No.991 of 2025

3. Though on behalf of the petitioner, it is contended that despite

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this Court directing the respondents to calculate 50% of the service rendered by the petitioner as part time Vocational Instructor prior to 16.10.1992 and service and pensionary benefits shall be calculated and be paid within a period of three months from the date of receipt of a copy of the order, the respondents 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 respondents, the respondents kept the issue pending and as such, the petitioner was constrained to file the present contempt case on 25.02.2025.

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 time limit of one year for initiating contempt proceedings.



Cont.P.No.991 of 2025

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 year 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 25.08.2022. 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 3 years later.



Cont.P.No.991 of 2025

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 his remedy, if so advised, in the manner known to law.

25.06.2026

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



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Cont.P.No.991 of 2025
T.VINOD KUMAR, J.

dna

Cont.P.No.991 of 2025

25.06.2026