



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-02-2026

CORAM

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

CONT.P.No.1342 of 2021

M.Lakshmi

W/o.Muthusamy @ Nagaraj,
Veeriampati Village, Padapalli Post,
Uthangarai Taluk,
Krishnagiri District.

...Petitioner

Vs.

1.Mr.Govindaraj

The Secretary,
D.D.9, Uthangarai Agricultural Producers, Co-op Societies Ltd,
Uthangarai, Krishnagiri District.

2.Mr.Radhakrishnan

The Deputy Registrar to Co-operative Societies,
Krishnagiri,
Krishnagiri District.

3.Mr.Khantharasu

The Deputy Registrar to Co-operative Societies,
Krishnagiri,
Krishnagiri District.

4.Mr.Lakshmanan

S/o. A.Krishnan, H.Echambadi Village,
Harur Taluk, Dharmapuri District.

... Contemnors

For Petitioner:

Mrs.M.Lakshmi Party in Person

For Contemnors:

Mr.M.Palaniswamy, for R1 to R4



ORDER

This contempt petition is filed as if it is arising out of C.R.P.(NPD) No.1379 of 2020. The original order, that is kept along with the contempt petition, is an interim order dated 20.10.2020 passed by Hon'ble Mr.Justice RMT.Teekaa Raman and by the said order, this Court directed the respondents to furnish the entire details, as the counter filed by them before the trial Court was bereft of details. The Registry was directed to call for the records relating to CMA(C.S).No.3 of 2002 passed by the Learned Principal District Judge, Dharmapuri, Krishnagiri on 26.03.2004.

2. The contempt petition is filed with a prayer which reads as follows:-

“For the reasons stated in the accompanying affidavit, please explain why the petitioner should nor approach the Hon'ble Court for offences punishable under Sections 454, 324, 120, 378, 379, 468, 454, 345, 420, 506 and 447 IPC r/w Offences under the Provisions of Tamil Nadu Property (Prevention of Damage and Loss) Act, 1992, and punish the respondents accordingly and also for Rs.7,00,00,000/- (Rupees Seven Crore only) as compensation for loss of property and Rs.10,00,00,000/- (Rupees Ten Crores only) as damages for mental agony, physical and mental harassment and loss of income and to recover the same from the respondents and take contempt of Court action and thereby render justice.”



3. However, since the petitioner is appearing as party in person and she has raised certain basic questions, the contempt petition seems to have been directed to be numbered by my predecessors and has been taken on file as Contempt Petition No.1342 of 2021 and is being adjourned from time to time.

4. It is seen that the civil revision petition came up for hearing and this Court speaking through the Hon'ble Mr.Justice C.V.Karthikeyan, had passed a detailed order and the operative portion, that is contained in paragraph Nos.21 and 22, is extracted hereunder for ready reference:-

“21.I must also state that the petitioner herein had raised an issue claiming that she was not at all a member of the Society and that she had not even participated in the auction. These are facts to be examined and determined. It is also seen that the award is an ex parte award. Therefore, I would also give a further direction that if the petitioner or the respondents in C.M.A.(CS)No.8 of 2014 request that an opportunity may be granted to tender oral evidence, then depending on the nature of the averments made in the affidavit filed in support of such applications, the learned Principal District Judge, Krishnagiri, may also take a considered decision on such applications and if permission is granted to adduce evidence, may record evidence or call upon the Court of the first instance to record evidence.

22.With the above observations, this Civil Revision Petition is allowed. No order as to costs. Consequently, connected Civil Miscellaneous Petitions are closed.”



5. As far as this case is concerned, it has got a chequered history. This Court, speaking through the Hon'ble Mr.Justice.V.Ramasubramanian (as his Lordship then was) in W.P.No.15671 of 2012 had encapsulated the entire history of the case in paragraph 3 and the same is extracted hereunder:

“The case of the petitioner has had a chequered history. It is necessary to extract the same, in view of the fact that the petitioner appears as a party-in-person and it may be difficult for anyone to decipher her grievance without having a complete picture. Hence, the history is narrated as follows:-

(i) On the ground that the petitioner failed to pay money to the Societies towards the cotton purchased by her, the Society initiated arbitration proceedings in A.R.C.No.5471 of 1984-1985 against the petitioner. In the said proceedings, an award was passed on 06.01.1986.

(ii) The Society filed an Execution Petition in REP No.73 of 1990-1991. As against the same, the petitioner filed an appeal before the Special Tribunal for Cooperative Cases (Principal District Judge), Dharmapuri in C.M.A.(CS) No.3 of 2002. It must be pointed out that the petitioner did not file any, appeal against the award passed in the arbitration proceedings. She filed the appeal only against the execution proceedings. The appeal was dismissed on 26.03.2004.

(iii) The petitioner filed a writ petition in W.P.No.32543 of 2004 against the order of the Tribunal. While admitting the writ petition, the Court granted an interim stay on 19.11.2004, directing the petitioner to deposit 50% of the amount, within six



weeks. The petitioner filed a modification petition. But it was dismissed on 27.12.2004.

(iv) Since the petitioner failed to comply with the conditional order, the stay got vacated and the Society brought the property to sale.

(v) Therefore, a second writ petition was filed by the petitioner in [W.P.No.21410](#) of 2009. On 09.12.2009, this Court granted an interim stay. In this writ petition, the pendency of the earlier writ petition [W.P.No.32593](#) of 2004 was not disclosed.

(vi) Therefore, the stay granted on 9.12.2009 was not extended subsequently and [W.P.Nos.32593](#) of 2004 and [21410](#) of 2009 were taken up together for disposal.

(vii) By order dated 11.01.2010, both the writ petitions were dismissed and the petitioner filed writ appeals in [W.A.No.2680](#) and [2601](#) of 2010. The Division Bench dismissed both the appeals on 17.2.2011.

(viii) The petitioner filed a review petition in Review Application No.54 of 2011. The review application came up for hearing on 01.04.2011. Though the Division Bench found that there was no ground for review of its earlier order, the Division Bench took pity on the petitioner appearing as a party-in-person and directed the Society to consider the waiver of interest. The Division Bench was led to believe that the petitioner did not have sufficient means.



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(ix) *The review application again come up on 25.4.2011, when the Society filed an affidavit, pointing out that the petitioner is a business woman having properties. The petitioner requested time to engage a lawyer before the Division Bench. Therefore, the case was adjourned later.*

(x) *When the property was again sought to be sold, the petitioner filed a third writ petition in W.P.No.12860 of 2011. At that time, the review application was also pending before the Division Bench. In the said writ petition, the petitioner did not disclose the earlier writ petitions and the pendency of the review application before the Division Bench.*

(xi) *The said writ petition W.P.No.12860 of 2011 was dismissed for non-prosecution on 14.6.2011. Therefore, the Society issued another Sale Notice. Immediately, the petitioner filed an application in M.P.No.3 of 2011 for restoration of the writ petition W.P.No.12860 of 2011 dismissed for non-prosecution. The writ petition was restored, arguments were heard and the writ petition was dismissed on the same day viz., 12.8.2011.*

(xii) *Thereafter, the review application R.A.No.54 of 2011 came up before the Division Bench and the Division Bench dismissed the review application by order dated 17.8.2011.*

(xiii) *Again the petitioner, filed another writ petition in W.P.No.21071 of 2011. When it come up for hearing, the learned Judge passed an order on 15.09.2011, granting one week time for the petitioner to mobilise funds and to make payment. But the petitioner did not pay the amount. However,*



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the said writ petition was allowed on 15.11.2011 on the short ground that there was a lacuna in the procedure adopted by the Society in bringing the property to sale. This Court granted liberty to the Society to bring the property afresh for auction.

(xiv) When the Society again complied with the procedure and brought the property to auction, the petitioner moved a contempt petition in Contempt Petition No.12 of 2012. It was dismissed by an order dated 14.03.2012. Thereafter, the Society issued the impugned notice dated 07.05.2012 for the sale of the property. Challenging the said notice, the petitioner has come up with the above writ petition.”

6. It is now seen that thereafter the petitioner had also moved applications for transfer and some writ petitions relating to the consequential proceedings, also which all came to be dismissed. C.R.P.(NPD).No.1379 of 2020 came to be finally disposed of by the following directions and Paragraph No.21 is extracted hereunder:

“21. I must also state that the petitioner herein had raised an issue claiming that she was not at all a member of the Society and that she had not even participated in the auction. These are facts to be examined and determined. It is also seen that the award is an ex parte award. Therefore, I would also give a further direction that if the petitioner or the respondents in C.M.A.(CS)No. 8 of 2014 request that an opportunity may be granted to tender oral evidence, then depending on the nature of the averments made in the affidavits filed in support of such



applications, the learned Principal District Judge, Krishnagiri, may also take a considered decision on such applications and if permission is granted to adduce evidence, may record evidence or call upon the Court of the first instance to record evidence.”

7. When this Court heard the contempt application, the party-in-person specifically argued that she is not a member of the Co-operative Society and that the signature found in the delivery note does not belong to her. The particulars of the auction based on which the award was passed were also erroneous in law. When the auction is said to have taken place in one particular month and when the auction is taking place only on Fridays, there cannot be more than four auctions as there will only be four Fridays. The case of the respondents as if more than 40 auctions had taken place in which the petitioner is said to have participated cannot be true. The arbitration claim has been made and wrongly award has been passed. All through this years of litigation, the party-in-person has been wronged, as an innocent person is being persecuted by the Co-operative Society, she did not take part in the auction and she did not purchase the cotton and the documents that are produced are forged.

8. In that regard, this Court also directed the respondents to produce the records. It is stated that all the records relating to the arbitration proceedings



are available and that photocopies of the delivery notes pursuant to the various auctions that took place have been produced, a signature similar to that of the party-in-person is found in the delivery notes. Therefore, when the party-in-person disputed the signatures and when this Court tried to get any other authenticated signature from her so that the signatures can be verified to ascertain the truth, the party-in-person did not produce any other admitted signature which can be beyond doubt in spite of the Court explaining her. Even with reference to her contention that she never took part in the auction or the entire documents are fabricated, earlier she raised the same argument as a party-in-person in W.A.Nos.2580 & 2581 of 2010 and in paragraph No.7, the same was considered and answered by the Division Bench, which is extracted hereunder:

“The only ground canvassed by the appellant is that she is pay any amount to the society and liable to the entire proceedings are vexatious. It is seen that the Deputy Registrar of case arbitration in Co-operative Society, who adjudicated the A. R.C. No. 5471/84-85, recorded a specific finding that the appellant is a member of the society and as per the agreement executed by her on 04.01.1985, she had been purchased cotton on credit, and she has also signed the delivery note for each credit purchase and as per the agreement with the society, the appellant has to pay the cotton dues within a period of & days of the credit purchase. As the appellant failed to adhere to the terms of the agreement and she committed default, the society preferred a claim before the Arbitrator. It "refused". appears



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that notice was sent by the Arbitrator to the appellant for appearance, the notice returned with endorsement However, the appellant appeared before the Arbitrator on 27.06.1985 and the case was posted on 25.07.1985 for filing written statement. The Arbitrator issued fresh notice, informing the adjournment and the said notice was also returned with postal endorsement refused, It appears that the case was further adjourned to 23.09.1985 on which date, the society alone was represented. As the appellant failed to appear, she was set exparte and an exparte award was passed. award was not challenged by the appellant at any point of time and what This was questioned before the Tribunal was, the auction notice issued by the society for recovering the amounts due based on the award.”

9. Therefore, the petitioner was granted liberty to challenge the arbitral award. The petitioner, had a matter of fact subsequently challenged the arbitral award and the delay is condoned. Now, CMA.No.8 of 2014 is pending. The C.R.P., out of which the contempt arises is also disposed of by directing the disposal of the said CMA.No.8 of 2014. Even in the contempt application, this Court heard the various grievances raised by the party-in-person as an extraordinary case. However, since the petitioner is not in a position to produce any document so as to compare the signature and find out whether the signatures is forged or not that was also not possible.



10. In view thereof, when the contempt petition itself was filed for a different prayer and it was entertained only with reference to the records, and the main C.R.P itself now being disposed of, nothing further can be adjudicated in the contempt petition. With reference to the grievances that are expressed by the party-in-person, it can be seen that on repeated occasions her contentions have been rejected. Even assuming for a moment that the documents against her are forged, it is for her to produce any such documents in which the signatures are found to be authentic and the request the Court to compare the signature found in the delivery note etc., so that she can establish that the arbitral award was based on forged documents. With the said liberty given to her to agitate all her grievances before the C.M.A.No.8 of 2014 and finding no other wilful disobedience, the Contempt Petition stands closed.

02.02.2026

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D.BHARATHA CHAKRAVARTHY, J.
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