



WEB COPY

CONT P No. 2408 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-02-2026

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CONT P No. 2408 of 2025

in

S.A.No.565 of 2021

1. M.Purushothaman
S/o. Murugappa Naicker, Old No. 201,
New No. 244 Velacherry Main Road,
Narayanapuram, Pallikaranai Post,
Chennai 600 100.

Petitioner(s)

Vs

1. Sirai Selvan and 2 others
S/o. Dhanabalan, Old No. 72/26,
Perumal Koil Street, Saidapet, Chennai
600 015. Now residing at No. 64,
Kuppam Beach Road, Tiruvanmiyur,
Chennai 600 041.

2.V.Narayanan
S/o.Vellayan

3.Karpagam
W/o.V.Narayanan, 2 and 3 residing at
Old No.C, 163, New No.36, Cholan
Street, M.M.D.A. Colony,
Arumbakkam, Chennai 600 106
(Impleaded as 2nd and 3rd Respondents
as per the order of the Hon'ble court
made in Sub.appl.No.1191/2025 in
Cont.P.No.2408/2025, dated
05.12.2025)

Contemnor(s)

**PRAYER**

To punish the respondent for willfully disobeying the Order passed by this Hon'ble Court in C.M.P.No. 12157 of 2021 in S.A.No. 565 of 2021 dated 02.04.2024

For Petitioner(s): Mr. A.R.Nixon

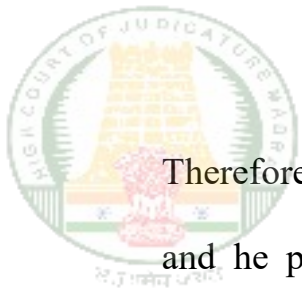
For Contemnor(s): Mr.Rgv.Harihara Balan For R1
Ms.Susanna Prabhu For R2 And
R3

ORDER

The appellant is the Contempt Petitioner. He filed an application to initiate contempt proceedings against the respondents. Initially, he filed the petition against the first respondent; thereafter, he impleaded respondents 2 and 3, who are the subsequent purchasers of the property.

2. According to the petitioner, he filed S.A. No. 565 of 2021 before this Court and also filed C.M.P. No. 12157 of 2021 seeking an order of injunction restraining the first respondent and his men from interfering with the petitioner's peaceful possession and enjoyment of the property. He further submitted that this Court granted an interim injunction against the first respondent on 02.04.2024 in C.M.P. No. 12157 of 2021.

3. The learned counsel further submitted that one Karpagam and Narayanan, who were subsequently added as respondents 2 and 3, attempted to trespass into the petition schedule property and indulge in illegal activities.



Therefore, according to him, the respondents have committed acts of contempt, and he prayed that appropriate action be taken against them in the manner known to law. He also submitted that on 10.06.2025, the respondents brought construction materials to the property with an intention to violate the order of this Court. Immediately, he informed the police; however, no action was taken. He further stated that even prior to filing this application, he had issued a notice dated 12.04.2024 to the first respondent for not obeying the order of this Court. Therefore, he initiated the present contempt proceedings and prayed to punish the respondents for willful disobedience of the order passed by this Court in C.M.P. No. 12157 of 2021 in S.A. No. 565 of 2021 dated 02.04.2024.

4. The purchasers of the property, who were impleaded as respondents 2 and 3, claim to have purchased the property on 14.12.2023. The learned counsel for respondents 2 and 3 submitted that, as on date, there is no subsisting interim order. The learned counsels for the respondents further submitted that though an interim order was granted by this Court on 02.04.2024 in C.M.P. No. 12157 of 2021, the same was granted only for a period of three weeks and the matter was posted on 23.04.2024. Thereafter, the interim order was not extended. Therefore, according to them, the respondents have not committed any disobedience of the order, and hence, they prayed for dismissal of the contempt petition as devoid of merits.



5. The learned counsel for the petitioner submitted that at the time of filing the second appeal itself, there was an order of interim injunction in his favour. Though the same was not subsequently extended, he filed an application seeking extension of the order before this Court. He further submitted that pending the appeal proceedings, respondents 2 and 3, in collusion with the first respondent, put up certain constructions in the property and, therefore, they are liable to be punished under the contempt proceedings.

6. Considering the submissions made on either side, the facts reveal that the petitioner alleges violation of the order of interim injunction granted by this Court and seeks action against the respondents for putting up illegal construction in the property in spite of the said order.

7. On perusal of the records, it is seen that the interim injunction was granted only for a period of three weeks from 02.04.2024, and the matter was specifically posted on 23.04.2024. The order clearly mentions that the injunction was limited to a period of three weeks. Admittedly, thereafter, the interim order was not extended.

8. Whether the construction put up by the respondents is illegal or not is a matter to be decided in the second appeal proceedings. In the contempt



application, the only point to be decided is whether the respondents committed any willful disobedience of the order passed by this Court. As discussed above,

the interim order was in force only for three weeks and expired on 23.04.2024.

Since the order was not extended thereafter, there is no violation or disobedience of the order of this Court as alleged by petitioner said to be happened on 10.06.2025.

9. However, liberty is granted to the petitioner to raise all his contentions at the time of arguments in the second appeal.

10. Accordingly, the contempt petition is closed. Post the second appeal No.565 of 2021 for arguments on 17.03.2026.

13-02-2026

Index: Yes/No
Speaking/Non-speaking order
Internet: Yes
Neutral Citation: Yes/No
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T.V.THAMILSELVI J.
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