



WEB COPY

WP No. 25266 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-01-2026

CORAM

THE HON'BLE MR JUSTICE C.V. KARTHIKEYAN

AND

THE HON'BLE MR.JUSTICE K.KUMARESH BABU

WP No. 25266 of 2024

A.Arunachalam
S/o.V.Arumugam,
No.7/40, Vaithy Street,
Ammamet (PO), Salem-3.

..Petitioner(s)

Vs

1. Mr.S.Sabeesh
The General Manager,
BSNL, Sreerangapalayam, Salem-1.
2. Mr.C.Kandasamy
The Assistant General Manager, BSNL,
Sreerangapalayam, Salem-1
3. Mr.Kumarasamy
The Accounts Officer, BSNL,
Sreerangapalayam, Salem-1

..Respondent(s)

**Prayer:**

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, to quash the impugned order in M.A. No.453/ 2021 in C.P. No.40/2019 dated 27.02.2023 passed by the Central Administrative Tribunal, Chennai Bench and consequently direct the Hon'ble Central Administrative Tribunal to reopen the contempt proceedings in C.P. No.40/2019.

For Petitioner(s): Mr.R.Venkatesh

For Respondent(s): Mr. S. Udayakumar
Standing Counsel
(For R1 to R3)

ORDER

(Order of the Court was made by C.V.Karthikeyan J.)

The writ petition has been filed, challenging the order dated 27.02.2023 made in M.A.No.453 of 2021 in C.P.No.40 of 2019 passed by the Central Administrative Tribunal at Chennai Bench.

2. The petitioner had earlier filed O.A.No.1562 of 2016, seeking interest of 18% for delayed pension benefits from 30.04.2011 till March 2016. By an order dated 24.08.2018, after recording the rival submissions, the respondents therein were directed to pay interest at the rate of 18% on the delayed payment and the Original Application was disposed of, granting two months' time for



compliance. Thereafter, since the order had not been complied with, the petitioner filed C.P.No.40 of 2019. That was closed on 06.12.2019, recording that a sum of Rs.1,81,993/- had been paid towards interest for the DCRG amount on 31.08.2019 and another sum of Rs.1,89,628/- had been paid towards interest for pension arrears on 05.11.2019 and that no further amount was due and payable. Accordingly, the Contempt Petition was closed.

3. This order was sought to be reopened by filing M.A.No.453 of 2021. However, by an order dated 27.02.2023, the Tribunal held that the request to reopen the contempt petition was not maintainable and dismissed the Miscellaneous Application. Challenging that particular order, the present writ petition has been filed.

4. It is clear that once the contempt petition has been closed, no further appeal arises for proceedings to be initiated as against a particular order. Only the contemnor, who suffers an adverse order can file an appeal. This position is made clear under Section 19 of the Contempt of Courts Act, 1971, which reads as follows:

“19. Appeals-(1)

An appeal shall lie as of right from any order or decision of High Court in the exercise of its jurisdiction to punish for contempt-

***(a)where the order or decision is that of a Single Judge,
to a Bench of not less than two Judges of the Court;***



(b) where the order or decision is that of a Bench, to the Supreme Court:

Provided that where the order or decision is that of the Court of the Judicial Commissioner in any Union territory, such appeal shall lie to the Supreme Court.

(2) Pending any appeal, the appellate Court may order that -

(a) the execution of the punishment or order appealed against be suspended;

(b) if the appellant is in confinement, he be released on bail; and

(c) the appeal be heard notwithstanding that the appellant has not purged his contempt.

(3) Where any person aggrieved by any order against which an appeal may be filed satisfies the High Court that he intends to prefer an appeal, the High Court may also exercise all or any of the powers conferred by sub-section (2).

(4) An appeal under sub-section (1) shall be filed-

(a) in the case of an appeal to a Bench of the High Court, within thirty days;

(b) in the case of an appeal to the Supreme Court, within sixty days, from the date of the order appealed against.”

5. It is thus made clear that an appeal shall lie as of right only when an order had been passed punishing for contempt and not otherwise.



6. In view of the above said provisions under Section 19 of the Contempt of Courts Act, this writ petition is dismissed. However, there shall be no order as to costs.

(C.V.K.,J.) (K.B.,J.)
28-01-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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To

1. Mr.S.Sabeesh

The General Manager,

BSNL, Sreerangapalayam, Salem-1.

2. Mr.C.Kandasamy

The Assistant General Manager,

BSNL, Sreerangapalayam, Salem-1

3. Mr.Kumarasamy

The Accounts Officer,

BSNL, Sreerangapalayam, Salem-1



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**C.V.KARTHIKEYAN, J.
AND
K.KUMARESH BABU, J.**

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