



Cont.P.No.3719 of 2024

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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V.Selvaraj
HEADMASTER HIGH School, Rtd,
12-5A / Veera Sivaji street,
Nadupettai, Gudiyatham,
Vellore District 632 602.

Petitioner(s)

Vs

1. S.Madumathi,
THE GOVERNMENT OF
TAMILANADU Rep by Secretary
to Government School Education
Department, Fort st George,
Chennai-9

2.S.Kannappan
THE DIRECTOR OF SCHOOL
Education, College Road,
Chennai -6.

3.P.Kuppusamy
THE JOINT DIRECTOR OF
SCHOOL Education
(Personnel)college Road,
Chennai-6.

Contemnor(s)



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Prayer: This Contempt Petition is filed Section 11 of the Contempt of Courts Act, 1971, to punish the respondents for contempt of the order of this Court made in W.P.No.21751 of 2018 dated 24.08.2022.

For Petitioner(s): Mr.R.Saseetharan

For Respondent(s): Mrs.Y.Kavitha
Additional Government Pleader

ORDER

This Contempt Petition is filed to punish the respondents for contempt of the order of this Court made in W.P.No.21751 of 2018 dated 24.08.2022.

2. The order copy was uploaded on the High Court website/portal thereafter. The petitioner applied for certified copy of the order on 24.08.2022 and the same was made ready on 17.10.2022 and delivered on 18.10.2022.



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3. On behalf of the petitioner, it is contended that despite this Court

directing the respondents to consider the service rendered by the petitioner as B.T.Assistant from 09.02.1987 to 05.02.1989 as a qualifying service for the purpose of pensionary benefits and to calculate the pension payable to the petitioner based on the last drawn salary from the date of superannuation, such arrears of pay has not been paid within the time specified by this Court. Thus, 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 04.11.2024.

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 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 eight weeks time granted by this Court from the date of receipt of a copy of the order dated 24.08.2022. 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 two years later.



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10. Having regard to the decision of the Hon'ble Apex Court and this Court as noted 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.

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



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