



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-02-2026

CORAM

**THE HONOURABLE MR JUSTICE P.VELMURUGAN
AND
THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN**

CONT P No.3911 of 2025

P.Selvam
Son of Paavadai Mudaliyar
Secretary
Arulmighu Droupadhi Amman Aalaya
Sengundhar Mahajana Sangam
No.20/11, Sundaranaarveedhi
Periyar Nagar South
Virudhachalam 606001
Cuddalore District

Petitioner

Vs

1. Thiru.Sibi Adithya Senthil Kumar, I.A.S.,
The District Collector
Cuddalore District
2. Tmt.Vishnu Priya
The Revenue Divisional Officer
Virudachalam, Cuddalore District
3. Tmt.Kanchana
The Commissioner
Virudachalam Municipality
Virudhachalam – 606 001
Cuddalore District
4. Thiru.Aravindan
The Tahsildar
Virudachalam Taluk, Cuddalore District

Contemnors



Contempt Petition is filed under Section 11 of the Contempt of Courts Act, 1971 to punish the respondents for wilful disobedience of the order dated 08.07.2025 passed by this Hon'ble Court in W.P.No.16597 of 2025.

For Petitioner: Mr.M.Elumalai

For Contemnors: Mr.M.Suresh Kumar
Additional Advocate General
assisted by
Mr.M.Murali
Government Advocate
for R1, R2 & R4
Mr.P.Srinivas
Standing Counsel for R3

ORDER
(Order of the Court was made by P.Velmurugan J.)

Though this Court, while disposing of the writ petition by order dated 08.07.2025, without expressing any opinion on the merits of the matter, directed the respondents to consider the representations of the petitioner dated 01.04.2025 and 18.04.2025, after affording an opportunity of personal hearing to the petitioner, fifth respondent and other encroachers, and take a suitable decision in respect of removal of unauthorised construction put up by the fifth respondent and others in Survey.No.76, Old Survey No.103 to an extent of 65 cents, in accordance with law, within the stipulated time of eight weeks, alleging non-compliance of the said direction, the writ petitioner has filed the present contempt petition.



2. When the matter came up for hearing on 23.01.2026, this Court issued statutory notice for the appearance of the respondents. Pursuant to the same, the respondents are present before the Court today. The learned Additional Advocate General appearing on behalf of the contemnors 1, 2 & 4, relying upon the affidavit of compliance filed by the first contemnor, submitted that in pursuance of the order passed by this Court, the Revenue Tahsildar issued notices under Form-7 and Form-6 under the Tamil Nadu Land Encroachment Act, 1905 on 23.01.2026 and 31.01.2026 respectively to the encroachers and though the encroachers unsuccessfully filed an appeal under Section 10-A of the Act before the District Collector, the first contemnor passed the final orders dated 10.02.2026 for removal of encroachments. He also submitted that the Director of Municipal Administration has recommended for initiating necessary disciplinary action against the Commissioner, Virudhachalam Municipality for the lapses to remove the unauthorised construction put up by the fifth respondent and a charge memo has been issued under Section 17(a) of the Tamil Nadu Civil Services (Discipline & Appeal) Rules to the Revenue Tahsildar, Virudhachalam vide proceedings dated 02.02.2026 & 07.02.2026 respectively. Though a short delay occurred due to procedural requirements, the learned Additional Advocate General submitted that the order of this Court has been duly complied with in letter and spirit.

3. The contention of the learned Additional Advocate General cannot be



accepted by this Court at the contempt stage. A reading of the order shows that all the respondents were parties to the writ proceedings and they were directed to comply with the direction within the stipulated time of eight weeks. When the said order has not been challenged either by way of filing appeal or seeking for review, the contemnors cannot simply wash away their hands in order to escape from the clutches of law. When the Officers are public servants receiving monthly emoluments from the tax payers money, they cannot simply shirk their responsibility in matters like this, as they are accountable, more so when they were parties to the writ proceedings. Therefore, considering the facts and circumstances of the case, this Court exonerates the first, second and third contemnors from the contempt proceedings. However, this Court finds the fourth contemnor guilty of contempt under Section 12 of the Contempt of Courts Act, since he has failed to comply with the direction issued by this Court within the stipulated time of eight weeks and the Department also issued a charge memo under Section 17(a) of the Tamil Nadu Civil Services (Discipline & Appeal) Rules for his lapses, and directs him to pay a sum of Rs.2,000/- to the Tamil Nadu State Legal Services Authority, Chennai within a period of four weeks from today. Needless to state that in future, if any direction is issued or any order is passed against any officer to comply with the direction/order within a stipulated time, the concerned officer aggrieved with the direction/order has to challenge the same by way of filing appeal or seeking for review and he/she cannot simply keep quiet till the filing of the contempt petition and re-argue the



matter on merits in the contempt proceedings.

WEB COPY

4. With the above direction and observation, this contempt petition stands ordered.

(P.VELMURUGAN J.) (M.JOTHIRAMAN J.)
20-02-2026

Index: Yes/No
Speaking/Non-speaking order
Internet: Yes
Neutral Citation: Yes/No

SS



To

1. Thiru.Sibi Adithya Senthil Kumar, I.A.S.,
The District Collector
Cuddalore District
2. Tmt.Vishnu Priya
The Revenue Divisional Officer
Virudachalam, Cuddalore District
3. Tmt.Kanchana
The Commissioner
Virudachalam Municipality
Virudhachalam – 606 001
Cuddalore District
4. Thiru.Aravindan
The Tahsildar
Virudachalam Taluk, Cuddalore District



WEB COPY

CONT P No.3911 of 2025



**P.VELMURUGAN J.
AND
M.JOTHIRAMAN J.**

SS

**CONT P No. 3911 of
2025**

20-02-2026