



WEB COPY

CONT P No. 246 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-02-2026

CORAM

THE HON'BLE MR.JUSTICE T. VINOD KUMAR

CONT P No. 246 of 2026

C.Ganesan,
Assistant Tea Maker, (i/c)
Kundha Industrial Co-operative
Tea Factory Ltd.,
Yedakkadu, The Nilgiris – 643 209.

..Petitioner

Vs

Mr.N.Nandhagopal
The Managing Director,
Kundha Industrial Co-operative
Tea Factory Ltd.,
Edakkadu, The Nilgiris – 643 209,
Yedakad.

..Respondent

PRAYER : Petition filed under Section 11 of the Contempt of Courts Act, 1971 to punish the respondent for his deliberate and wilful disobedience of the order dated 27.09.2023 passed in W.P.No.21991 of 2021 by this Court.

For Petitioner:	Mr.K.Lavan
For Respondent:	Mr.V.Umakanth Government Advocate

ORDER

This contempt petition is filed for not complying with the order dated 27.09.2023 in W.P.No.21991 of 2021, whereby, this Court had directed the respondent to give effect to the appointment order passed by the third respondent *vide* his proceedings in R.C.No.7/2017-18 dated 11.11.2020, within



a period of eight (8) weeks from the date of receipt of a copy of the order.

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2. The copy of the aforesaid order was made ready and delivered on 14.12.2023.

3. Though on behalf of the petitioner, it is contended that despite this Court directing the respondent to give effect to the appointment order passed by the third respondent dated 11.11.2020 within a period of eight weeks from the date of receipt of a copy of the order, the respondent did not comply with the order and wilfully disobeyed the order.

4. The learned counsel for the petitioner submitted that despite the petitioner following up the matter with the respondent, the respondent kept the issue pending and as such, the petitioner was constrained to file the present contempt case on 17.12.2025.

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 limitation of one year for initiating contempt proceedings.



7. This Court by order dated 28.11.2025 in Cont.P.Nos.2599 and 3033 of 2025 and Cont.P.No.2706 of 2025, dated 12.09.2025, had considered the scope of Section 20 of the Contempt of Courts Act, 1971 (in short 'Act 1971') and Article 215 of the Constitution of India, and also as to what would be constitute continuing cause of action.

8. This Court having regard to the law declared by the Hon'ble Apex Court, 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 granted by this Court from the date of receipt of a copy of the order dated 27.09.2023. 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 2 ½ years later.

10. Having regard to the decision of the Hon'ble Apex Court and this Court, the present contempt petition cannot be entertained as having been filed



beyond the limitation prescribed under the Act, 1971.

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11. Accordingly, this Contempt Petition is dismissed.

27-02-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

dh

To

Mr.N.Nandhagopal

The Managing Director,

Kundha Industrial Co-operative

Tea Factory Ltd.,

Edakkadu, The Nilgiris – 643 209,

Yedakad.



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T.VINOD KUMAR, J.

dh

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