

CONT P(MD) NO. 3594 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17-12-2025

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THE HONOURABLE MR JUSTICE G.R.SWAMINATHAN

CONT P(MD) Nos.3594 & 3657 of 2025

in

W.P.(MD)Nos.32317 & 33197 of 2025

Rama.Ravikumar

Petitioner in Cont P(MD)No.3594 of 2025

S.Paramasivam

Petitioner in Cont P(MD)No.3657 of 2025

Vs

1.K.J.Praveenkumar IAS,
District Collector, Madurai.

2.J.Loganathan IPS,
Commissioner of Police, Madurai City.

3.Yagna Narayanan, Executive Officer,
Arulmigu Subramania Swamy Temple,
Thirupparankundram,
Madurai.

1 to 3 respondents in
Cont P(MD)No.3657 of 2025

4.The Union Home Secretary,
Government of India, New Delhi.

5.A.G.Inigo Divyan,
DCP (South), Madurai City.

1 to 5 respondents in
Cont P(MD)No.3594 of 2025



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(R4 suo motu impleaded vide
order dated 09.12.2025)

(R5 suo motu impleaded vide
order dated 09.12.2025)

For Petitioner(s):

Mr.G.Karthikeyan, Senior Counsel
Mr.KPS.Palanivelrajan, Senior Counsel
for Mr.RM.Arun Swaminathan

For Respondent(s):

Mr.J.Ravindran, Addl. Advocate General,
Assisted by Mr.S.S.Madhavan,
Addl. Government Pleader for R1

Mr.Vikas Singh, Senior Counsel and
Mr.Veera.Kathiravan
Addl. Advocate General,
Assisted by Mr.S.Ravi,
Addl. Public Prosecutor Pleader for R2.

Mr.Jothi, Senior Counsel for
Mr.V.Chandrasekar for R3

Prayer in Cont P(MD)No.3594 of 2025 : Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971 to punish upon the Contemnors/Respondents 1, 2 and 4 for the willful disobedience of the order passed by this Honourable Court in WP(MD) No.32317 of 2025 dated 01.12.2025 according to law.

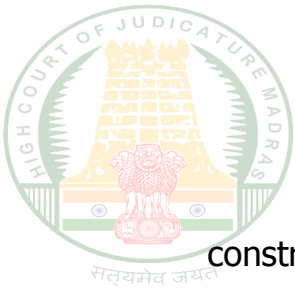


Prayer in Cont P(MD)No.3657 of 2025 : Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971 to initiate contempt proceedings against the contemnors/respondents and punish him for the wilful disobedience of the order of the High Court in WP(MD)No.33197 of 2025 dated 01.12.2025.

COMMON ORDER

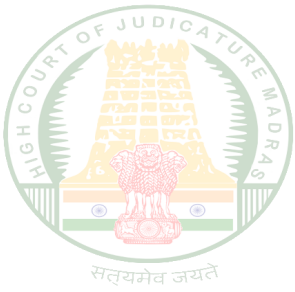
The Chief Secretary, State of Tamil Nadu as well as the Additional Director General of Police (L&O), State of Tamil Nadu appeared before this Court through Video Conferencing.

2.The Chief Secretary was called upon to clarify as to whether the District Collectors of Madurai and Dindigul passed prohibitory orders under Section 163 of BNSS, 2023 entirely on their own or on instructions. Attention of the Chief Secretary was drawn to yet another instance (WP(MD)No.29790 of 2025). In the said case also, citing law and order issue, the revenue authorities failed to proceed against an illegal church construction in Alamarathupatti Village, Aathoor Taluk, Dindigul District. One Wilson had filed the said writ petition against his brother alleging that in an undivided family property, a church is being



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constructed without getting prior approval from the District Collector, Dindigul. Injunction order granted by me on 24.10.2025 in WMP(MD)No.23044 of 2025 was not complied with. Hence, Wilson filed Cont P(MD)No.3630 of 2025. The matter stands posted for compliance tomorrow (18.12.2025). But the Tahsildar, Aathoor has submitted a report that implementation of the injunction order is meeting with resistance on the ground and therefore, because of law and order issues, they are unable to enforce the court's order. Admittedly, the construction of the church is illegal. The authorities on their own should have taken action. They did not do so. That is why, the aggrieved brother had to approach this Court. Injunction was granted by me. But the construction continued to proceed. The place is being used for congregation worship. That is why, I directed the local authorities to take immediate action. But the authorities appear to be afraid to even touch the building. One has to draw an adverse conclusion as to why the authorities are hesitant. Law and order appears to be a convenient fig leaf.



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3.I am tired. In how many cases, am I to haul up the officers concerned for contempt?. Even today, the Chief Secretary who was reading out from a prepared text stated that even though they have high regard for the judiciary, they have to take into account law and order issues while implementing court's orders. This is unacceptable. When a court has issued an order, unless it has been stayed or set aside by a higher forum, it has to be obeyed. Of course, there could be cases where a judicial order cannot be implemented. I can conceive of such situations. But law and order cannot be a ground for flouting a court's order. That would be inexcusable. That would amount to break down of law and order. That would lead to paralysis of the constitutional machinery.

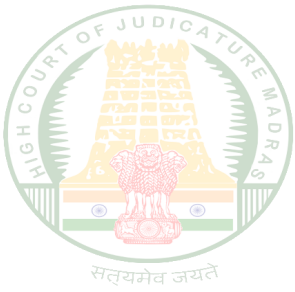
4.The case stands adjourned to 09.01.2026 at 04.00 P.M. I expect the Chief Secretary of Tamil Nadu to take a responsible stand even while answering the question posed at the outset.

5.The contemnors are present in person. Their further appearance is not dispensed with.

17-12-2025

SKM

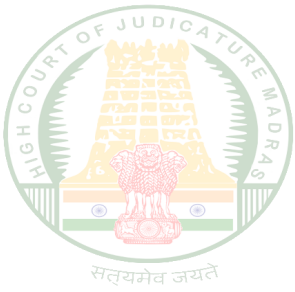
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To

- 1.K.J.Praveenkumar IAS, District Collector, Madurai.
- 2.J.Loganathan IPS, Commissioner of Police, Madurai City.
- 3.Yagna Narayanan, Executive Officer, Arulmigu Subramania Swamy Temple, Thirupparankundram, Madurai.
- 4.The Chief Secretary, Government of Tamil Nadu.
- 5.The Additional Director General of Police, Law and Order, Chennai.
- 6.The Union Home Secretary, Government of India, New Delhi.
- 7.The Chief Secretary, Government of Tamil Nadu.



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G.R.SWAMINATHAN,J.

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W.P.(MD)Nos.32317 & 33197 of 2025

17.12.2025