



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.03.2026

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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

&

CONT P(MD)No.252 of 2026

in

W.P.(MD)No.32317 of 2025

In Cont P(MD)No.3594 of 2025 : -

Rama.Ravikumar

... Petitioner

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.

.... Contemnors /
Respondents 1, 2 & 4

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

... Respondent No.4

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

... Respondent No.5

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For Petitioner(s):

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

For Respondent(s): Mr.N.R.Elango, Senior Counsel,
assisted by Mr.C.Venkatesh Kumar
Special Government Pleader for R1

:Mr.Vikas Singh, Senior Counsel,
for Mr.S.Ravi, Additional Public Prosecutor for R2 &
R5

:Mr.J.Ravindran, Additional Advocate General
assisted by Mr.V.Chandrasekar for R3

: Mr.K.Govindarajan, DSGI, for R4

Prayer : 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.

In Cont P(MD)No.3657 of 2025

S.Paramasivam

... Petitioner

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.

.... Contemnors /
Respondents 1, 2 & 5

For Petitioner(s):

Mr.K.P.S.Palanivelrajan, Senior Counsel
for Mr.P.Subbiah

For Respondent(s): Mr.N.R.Elango, Senior Counsel,
assisted by Mr.C.Venkatesh Kumar
Special Government Pleader for R1

:Mr.Vikas Singh, Senior Counsel,
assisted by
Mr.S.Ravi, Additional Public Prosecutor for R2

:Mr.R.Shanmugasundaram, Senior Counsel,
For Mr.J.Ravindran, Additional Advocate General
assisted by Mr.V.Chandrasekar for R3

Prayer : 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.

In Cont P(MD)No.252 of 2026 : -

M.Arasupandi

... Petitioner

Vs



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- 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 Union Home Secretary,
Government of India, New Delhi.
 - 5.A.G.Inigo Divyan,
DCP (South), Madurai City.
 - 6.The Chief Secretary to Government,
Government of Tamil Nadu,
St.George Fort,
Chennai-600 004.
 - 7.The Secretary to Government,
HR & CE Department,
Secretariat, St.George Fort,
Chennai-600 004.
 8.
(R8 was deleted from array of parties
as per order of this Court dated 02.02.2026
in Cont.P.(MD)No.252 of 2026 by GRSJ)
 - 9.Rama Ravikumar ... Respondents
- For Petitioner(s)** : Mr.Niranjan S.Kumar



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For Respondent(s) : Mr.N.R.Elango, Senior Counsel,
assisted by Mr.C.Venkatesh Kumar
Special Government Pleader for R1

:Mr.Vikas Singh, Senior Counsel assisted by
Mr.S.Ravi, Additional Public Prosecutor for R2 & R5

:Mr.R.Shanmugasundaram, Senior Counsel,
For Mr.J.Ravindran, Additional Advocate General
assisted by Mr.V.Chandrasekar for R3

:Mr.Veerakathiravan, Additional Advocate General
assisted by Mr.C.Venkatesh Kumar
Special Government Pleader for R6 & R7

: Mr.K.Govindarajan, DSGI, for R4

Prayer : Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971 to punish the respondents 1, 2, 3, 5 & 8 for their willful deliberate disobedience of the orders of this Court dated 03.12.2025, 04.12.2025 and 09.12.2025 passed by this Court in Cont.P. (MD)No.3594 of 2025 in W.P.(MD)No.32317 of 2015.

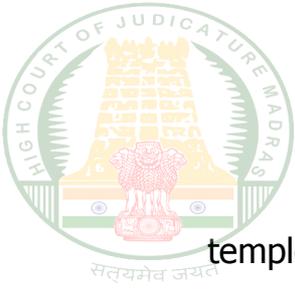
COMMON ORDER

Heard both sides.

2.These contempt petitions were listed for hearing on 02.03.2026.

The District Collector, Madurai had filed an additional affidavit stating that he had issued prohibitory order on 03.12.2025 only to enable the

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temple management to implement the order passed by this Court. I observed that the sincerity of the statement would be borne out only if at least now a group of five persons to be named by this Court are permitted to go to the lower peak of the hillock where Deepathoon is located and symbolic prayers are offered. This suggestion was given for the authorities to mull over and get back and the petitions were ordered to be listed on 04.03.2026.

3.Today when the matters were taken up, Shri.R.Shanmuga Sundaram, the learned Senior Counsel representing the trustees of the temple submitted that they would need to get the nod of the department and that they require two more weeks to deliberate and respond to the suggestion made by this Court.

4.At this stage, Shri.Vikas Singh, the learned Senior Counsel representing Thiru.Loganathan, IPS and Shri.A.G.Inigo Divyan, DCP South, Madurai City strongly interjected and questioned the very maintainability of these proceedings. According to him, the order passed by this Court on 01.12.2025 was put to challenge in a batch of

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writ appeals before the Hon'ble Division Bench and that in view of the disposal of the writ appeals, the order passed by this Court no longer survives. He invoked the doctrine of merger. According to him, there can be only one order and at present, it is the order of the Division Bench that holds the field and that the order passed by this Court stood superseded. He relied on the decision reported in **2020 SCC OnLine Mad 17972 (All India Union Bank Officer Staff Association rep.by its General Secretary v. Brajeshwar Sharma, The Chief Manager (HR), Union Bank of India)** in which it was held that the doctrine of merger does not make a distinction between an order of reversal, modification or an order of confirmation. When the order of the Single Judge has merged with the order of the Division Bench in the writ appeal, a contempt petition can be maintained only before the Division Bench and not before the Single Judge.

5.I am afraid that I cannot subscribe to the aforesaid submission. The reason is simple. There has been a march of law and probably, Shri.Vikas Singh, Senior Counsel did not have the time to come across the latest decision of the Hon'ble Supreme Court reported in **2026**

**INSC 204 (United Labour Federation v. Gagandeep Singh**

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Bedy). The Hon'ble Supreme Court had held that the contempt jurisdiction is independent of the applicability of the doctrine of merger. Paragraph 13 of the order dated 29.01.2026 passed by the Hon'ble Supreme Court reads as follows :

“13. In our considered view, if the Supreme Court has not issued any fresh directions in the matter, and has merely affirmed the order passed by the High Court, what would remain to be executed is the directions issued by the High Court and it cannot be said that there is no independent existence of the order of the High Court for the purpose of invoking Contempt jurisdiction. Merely because the order has been affirmed, the High Court’s jurisdiction under Section 12 or 15 of the Contempt of Courts Act, 1971 or under Article 215 of the Constitution of India does not cease to operate to punish the contemnor for disobedience of the order of the High Court. If it is held otherwise, Supreme Court would be flooded with Contempt Petitions because in whichever case the Supreme Court dismisses the appeal by non-speaking order, by merely affirming the order of the High Court, the parties would be driven to Supreme Court for filing Contempt Petition.”



6.It is obvious that **2020 SCC OnLine Mad 17972** cited by

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Shri.Vikas Singh is no longer good law. The doctrine of merger will not apply when the order passed by the Single Judge is confirmed by the Division Bench. I would expect the counsel appearing before me not to cite case-laws that are no longer hold good.

7.The Hon'ble Full Bench of the Calcutta High Court in the decision reported in **2023(2) CHN (CAL) 525 (Sailesh Kumar v. Smitha R. and ors)** had also taken the view that in case of an affirmation of an order of Single Bench, the contempt would lie before the Single Bench when it is alleged that his order or direction has been violated.

8.Shri Vikas Singh appeared through VC and even as I was pointing out to him about the latest decision of the Hon'ble Supreme Court, someone passed on to him a copy of it. I expected Shri Vikas Singh to feel sorry. Far from it. It is probably unlike the man. He still argued that since the Hon'ble Division Bench had modified the order of this Court, this contempt petition would not lie before me.



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9.The order dated 01.12.2025 passed by me directed the temple management/devasthanam to light the Karthigai Deepam at Deepathoon also apart from the usual places. The only question before the Hon'ble Division Bench was whether this Court was right in directing the temple management to light the lamp at the Deepathoon. The Hon'ble Division Bench vide its order dated 06.01.2026 in WA(MD)No. 3188 of 2025 etc., batch directed that the Devasthanam must light the lamp at the Deepathoon. Thus, the order passed by this Court was confirmed. There was no modification or reversal. Hence, I have no hesitation to reject the preliminary objection raised by Shri Vikas Singh as to the maintainability of the contempt petitions before me.

10.There is another way of looking at it. The contempt petitions before me pertain to not only the violation of the order dated 01.12.2025 but also the orders dated 03.12.2025 and 04.12.2025. Questioning the order dated 03.12.2025, the District Collector and the Commissioner of Police filed LPA(MD)No.8 of 2025. The Hon'ble Division Bench vide order dated 04.12.2025 dismissed the LPA filed by the contemnors herein. Mr.Vikas Singh is labouring under the

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impression that I am dealing only with violation of the order dated 01.12.2025. He is wrong. Probably, he has been instructed only in the contempt petition arising out of the order dated 01.12.2025 alone. Let me remind him that I am seized of the breach of the direction given not only on 01.12.2025 but also on the subsequent dates. To frustrate the order passed by me, a prohibitory order was issued. The prohibitory order was quashed in the presence of the police. Still, the police force of the Madurai City headed by the Commissioner of Police, DCP South and the ACP resisted implementation of the order of this Court. Therefore, in any event, these contempt petitions are maintainable.

11.I wanted to implead Mrs.P.Sathya Priya, Mr.N.Mani Selvan, Mr.T.M.Bomma Thevan, Mr.V.Shanmuga Sundaram and Mr.T.Ramiah, the temple trustees also as contemnors. I also wanted to frame charges against Thiru.J.Loganathan, Commissioner of Police, Madurai City and Mr.A.G.Inigo Divyan, Deputy Commissioner of Police, Madurai South, Madurai City. But then, the learned Senior Counsels appearing for them reiterated that the suggestion that has come from this Court on 02.03.2026 deserves to be deliberated at length and a careful decision



has to be taken after consulting the department and sought time. I am inclined to accede to the said request. I adjourn the proceedings by two more weeks.

12.The appearance of the trustees is dispensed with for the present. But the police officials named in the order dated 02.03.2026 shall remain present on the next hearing date. Call these cases on 18.03.2026 at 04.00 pm. I categorically warn all the contemnors that if an appropriate response is not received by 18.03.2026, charges will be framed on the said date and enquiry will be taken up on a day to day basis. I do not believe in adjournment culture and the proceedings will conclude one way or the other before the month end. Let me remind that if reckless comments are made by dignitaries, they also will be roped in. Before law all are one and no one can claim immunity merely because they happen to hold high offices.

04.03.2026

Skm

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- 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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VERDICTUM.IN



G.R.SWAMINATHAN, J.

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**CONT P(MD) Nos.3594 & 3657 of 2025
&
CONT P(MD)No.252 of 2026**

04.03.2026

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