

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.08.2015

CORAM:

THE HONOURABLE MS.JUSTICE K.B.K.VASUKI

Contempt Petition No.1146 of 2015

R.Vasudevan

... Petitioner

Vs.

R.Senthil Kumar,
Inspector of Police,
H5, New Washermanpet Police Station,
New Washermanpet,
Chennai - 600 081.

... Respondent

Prayer : This petition filed under Section 11 of Contempt of Court Act 1971, for willful disobedience of the order passed in CrI.O.P.No.19309 of 2014 on 24.07.2014.

For Petitioner : Mr.T.Sundaravadanam

For Respondent : Mr.D.Sivaramkumar,
Government Advocate (CrI. side)

ORDER

Heard both sides.

2. The facts made available herein would reveal that the respondent Police, in pursuance of the order passed by this Court, registered FIR and held investigation into the same and closed the investigation as mistake of fact and filed a final report before the concerned Judicial Magistrate and the petitioner was also served with RCS notice and the petitioner has already filed a protest petition before the concerned Judicial Magistrate.

3. The learned counsel appearing for the petitioner at this juncture submitted that the investigation held by the respondent Police is not in accordance with the directions issued by the First Bench of this Court in Suo Motu W.P.No.27165 of 2013.

4. In my considered view, the grievance if any to the petitioner can be raised in the protest petition and the concerned Judicial Magistrate can decide the same, in the light of the directions if any passed by the High Court and dispose of it on merits.

5. It is further submitted by the learned counsel appearing for the petitioner that the protest petition is being periodically adjourned in the concerned court.

6. That being so, this Court feels, except to issue a direction to the concerned Judicial Magistrate to dispose of the protest petition as expeditiously as possible, no further order is warranted in the Contempt Petition.

7. In the result, the Contempt Petition is closed by directing the learned XV Metropolitan Magistrate, George Town, Chennai, to dispose of the protest petition filed in Cr.No.977 of 2014 on merits and in accordance with the directions issued by the First Bench of this Court in Suo Motu W.P.No.27165 of 2013 and in accordance with the provisions of law, after giving due opportunity to both the parties, as expeditiously as possible, by not later than

two months from the date of receipt of a copy of this order.

8. Office is directed to mark a copy of this order to the concerned Judicial Magistrate.

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SD/-
DEPUTY REGISTRAR (CLAA)

//Certified to be true copy//

Dated at Madras this the day of 2015.

COURT OFFICER (O.S.)

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SS/CO/24/08/2015

One CC to Mr.T.Sundaravadanam, Advocate, SR.10526.

To

1. XV Metropolitan Magistrate,
George Town,
Chennai.
2. R.Senthil Kumar,
Inspector of Police,
H5, New Washermanpet Police Station,
New Washermanpet,
Chennai - 600 081.
3. The Public Prosecutor
High Court,
Madras.