

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 10.07.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

Contempt Petition No.1453/2015

Mr.Appunu

.. Petitioner

Versus

Mr.Easwaramoorthy
The Deputy Superintendent of Police
Bargur.

.. Respondent

Contempt petition filed under section 11 of the Contempt of Courts Act to punish the respondent for willfully disobeying the order of this Court in WP.No.28101/2014 dated 28.10.2014.

For Petitioner : Mr.V.Raghavachari
For Respondent : Mr.R.Vijayakumar, AGP

ORDER

The above contempt petition has been filed by the petitioner for willful disobedience of the order and direction passed by this Court in WP.No.28101/2014 dated 28.10.2014 by the respondent herein.

2.Heard the learned counsel for the petitioner and Mr.R.Vijayakumar, learned Additional Government Pleader appearing for the respondent. Mr.Mohan, Inspector of Police, Pochampalli Police Station is present in Court.

3.By the said order dated 28.10.2014, the respondent herein was directed to consider the communications sent

including the communication sent by the District Munsif cum Judicial Magistrate, Pochampalli and provide necessary police aid to the Court Senior Bailiff for the purpose of implementing the directions issued by the Civil Court.

4.It is seen that the respondent police have not responded to either the request made by the District Munsif cum Judicial Magistrate, Pochampalli, nor the direction issued by this Court. Therefore, prima facie, the respondent herein is guilty of contempt.

5.The learned Additional Government Pleader on instructions, submitted that there are several persons in the property and they apprehend law and order problem. However, this is not the reason to say that the police aid will not be given to the Court Bailiff who has the duty to execute the decree passed by the Court. If there are any difficulty, the minimum courtesy that should be shown by the respondent herein is to appear before the District Munsif cum Judicial Magistrate, Pochampalli, and place in writing the exact state of affairs. However, this also appears to have not been done and this is one more ground to hold that the respondent is guilty of contempt.

6.After this Court expressed its opinion, the learned

that on any date fixed by the Court concerned, police protection will be accorded to the Senior Bailiff. The said submission is placed on record.

7. Accordingly, there will be a direction to the petitioner to obtain fresh directions from the Court concerned for providing adequate police protection in the senior Bailiff of the Court and on issuance of such communication from the Court concerned, the respondent herein as well as the Inspector of Police, Pochampalli Police Station, shall provide police aid forthwith.

8. The contempt petition is disposed of with the above direction.

AP

SD/-
DEPUTY REGISTRAR (CLAA)

//Certified to be true copy//

Dated at Madras this the day of 2015.

COURT OFFICER (O.S.)

From 25th Day of September 2008 the Registry is issuing certified copies of the Orders/Judgments/Decrees in this format.

Ss/co/22/07/2015

One CC to Government Pleader, SR.9040

To

1. Mr. Easwaramoorthy
The Deputy Superintendent of Police

<https://hcservices.ecourts.gov.in/hcservices/>

2. The Inspector of Police
Pochampalli Police Station