

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 16.07.2015

CORAM

THE HONOURABLE DR.JUSTICE S.TAMILVANAN
AND
THE HONOURABLE MR.JUSTICE C.T.SELVAM

Contempt Petition No.1510 of 2015

R.Shanthi
W/o.M.Rajesan

... Petitioner

vs.

1.Dayalan,
The Inspector of Police,
Guduvancherry Police Station,
Kamarajapuram Nandhivaram,
Chennai - 603 202.

2.S.Ezhumazhai,
S/o.Sadaiyan

3.M.Selvi,
W/o.Muthu

... Respondents

Contempt Petition filed under section 11 of Contempt of Courts Act to punish the respondents for willful disobedience of the order of this Court passed in H.C.P.No.977 of 2015 dated 24.04.2015.

For Petitioner : Mr.S.I.Muthiah

For Respondents: Mr.A.N.Thambi Durai
Additional Public Prosecutor[R1]

O R D E R

(Order of the Court made by **S.TAMILVANAN, J.**)

This Contempt Petition is filed alleging non-compliance of the order of this Court passed in H.C.P.No.977 of 2015 dated 24.04.2015.

2. Heard the learned counsel for the petitioner and learned Additional Public Prosecutor appearing for the first respondent.

3. This Court, while passing orders in H.C.P.No.977 of 2015, permitted the petitioner, daughter of the alleged detainee, to visit her mother Kalyani twice in a month, who is under the care and custody of respondents 2 and 3/brother and sister of the petitioner. However, the petitioner has filed this present petition alleging that the respondents 2 and 3 are preventing her from visiting her mother. This is a disputed question of fact which cannot be gone into in a contempt petition. Further, the petitioner has arrayed the Inspector of Police, Guduvancherry Police Station, Kamarajapuram Nandhivaram, Chennai, as the first respondent.

4. Having gone through the affidavit, the material papers and considering the submission made by the learned counsel on either side, this Court is of the view that the contempt petition is not legally sustainable. However, it is open to the petitioner to approach the appropriate forum according to law.

With the above observation, this Contempt Petition is dismissed as not maintainable.

gm

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/05/08/2015

One CC to Mr.S.I.Muthiah, Advocate SR.No.9056/15.

To

1.The Inspector of Police,
Guduvancherry Police Station,
Kamarajapuram Nandhivaram,
Chennai - 603 202.

2.The Public Prosecutor,
High Court of Madras,
Chennai 600 104.