

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.09.2015

CORAM:

THE HONOURABLE MR. JUSTICE S.VAIDYANATHAN

CONTEMPT PETITION No.3200 of 2014

A.Ramesh

... Petitioner

vs.

1. Thangam
Inspector of Police,
Kallakurichi Police Station,
Villupuram District.

2. Usman Sheriff
Sub-Inspector of Police,
Varanjaram Police Station,
Villupuram District.

3. Velu

... Respondents

Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1960 praying to punish the respondents for disobedience of the order passed in CrI.O.P.No.5980 of 2013, dated 07.02.2014.

For Petitioner : Mr.N.Subramani

For R1 & R3 : Mr.C.Aiyyaparaj,
Govt. Advocate (CrI. Side)

For R2 : Mrs.AL.Gandhimathi

O R D E R

This petition is filed seeking to punish the respondent for disobedience of the order dated 07.02.2014 passed in CrI.O.P.No.5980 of 2013.

2. Heard both sides.

3. The order dated 07.02.2014, passed by this Court in

Crl.O.P.No.5980 of 2013 would read as under:

"5. Taking note of the submission made by the counsel on either side, by recording the submission of the learned counsel for the 3rd respondent, while closing this Criminal Original Petition, this Court directs that the police shall give protection to the petitioner's life and limb and in case of any disturbance by the 3rd respondent, this Court further directs that appropriate action shall be taken against the 3rd respondent, since the 3rd respondent has made a statement at no point of time he will interfere with the possession of the petitioner's property and disturb the petitioner."

3. Learned counsel for the petitioner would submit that even though an interim order of the Civil Court is in favour of the petitioner, the 3rd respondent is still disturbing the petitioner and that the respondent police is not giving protection to him.

4. Learned Government Advocate (Crl. Side) would submit that the order of this Court, dated 07.02.2014 has been duly complied with and if the petitioner has got any problem, he may give a complaint and the same will be looked into, in accordance with law.

5. Respondents 1 and 2 have filed counter affidavit. Relevant portion of the same reads thus:

"6. I respectfully submit that due to the subsequent transfer of the then Inspector of Police, Tr.Mahesh, Inspector of Police, took up the charge of this case. As per the above order, necessary police protection given to the petitioner and on 17.03.2015, Tr.Mahesh, Inspector of Police accompanied with police team (including myself) along with Village Administrative Officer, Mudiyanoor and his menials measured the above said land survey numbers and also handed over to the petitioner and his father which was duly acknowledged by them. Thereby, the 2nd respondent police complied the directions passed by this Hon'ble High Court.

<https://hcservices.ecourts.gov.in/hcservices/> 7. I respectfully submit that now, the petitioner herein filed this petition stating that the 3rd respondent Velu is continuously

disturbing the irrigation and cultivation in his property.

The 2nd respondent is ready to provide police protection to the petitioner's land during irrigation and cultivation, if there is any interference of the 3rd respondent, appropriate action will be taken against him."

6. Taking note of the submission of the learned Government Advocate (Crl. Side) appearing for respondents 1 and 2 and more particularly, the statement of the respondent police in paragraphs 6 and 7 of the counter affidavit to the effect that they are ready to provide police protection to the petitioner's land, this Court is of the view that no further orders are necessary in this matter.

In view of the same, this Contempt Petition is closed.

Aeb

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/13/10/2015

One CC to Ms.A.L.Ganthimathi, Advocate, Sr.No.12302

One Cc to Mr.N.Subramani, Advocate, Sr.No.12389

To

1.The Inspector of Police,
Kallakurichi Police Station
Villupuram District

2.Usman Sheriff
Sub-Inspector of Police,
Kallakurichi Police Station,
Villupuram District.