

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.12.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Contempt Petition No.2753 of 2016

K.M.Jainulabuddin

... Petitioner

Vs.

T.Jayakumar
The Inspector of Police
M-3 Puzhal Police station
Chennai.

... Respondent

Prayer: Contempt Petition is filed under Section 11 of the Contempt of Courts Act, 1971, to punish the respondent for the act of contempt in disobeying the orders passed by this Court dated 22.02.2016 in CrI.O.P.No.2012 of 2016.

For Petitioner :Mr.A.K.M.Samsunihar

For Respondent :Mr.K.Madhan

Government Advocate (CrI. Side)

O R D E R

Heard both sides.

2. The petitioner has come forward with this Contempt Petition to punish the respondent for the willful disobedience of the orders of this Court in CrI.O.P.No.2012 of 2016, dated 22.02.2016.

3. The learned counsel for the petitioner would submit that the petitioner has given a complaint to the respondent police on 27.11.2015. Since the respondent police has not registered a case, the petitioner filed CrI.O.P.No.2012 of 2016 before this Court praying for a direction to the respondent therein (respondent police herein) to register a case on the complaint given by him. This Court, by order dated 22.02.2016, in CrI.O.P.No.2012 of 2016, directed the respondent police to expedite the enquiry by following the dictum laid down in Lalitha Kumari Vs. Govt. of U.P. & Others (2013(4) Crimes 243 (SC) and register a case, if any cognizable offence is made out. He would also submit that since the respondent / contemnor has not registered the case so far, after issuance of pre-contempt notice, the petitioner has filed this contempt petition.

4.Today, the contemnor is present before this Court and filed a counter affidavit stating that enquiry has been conducted and closed on 19.11.2016 and the closure report was furnished to the petitioner on 29.11.2016. Learned counsel for the petitioner has also confirmed the receipt of the closure report. Further, in para-11 of the counter affidavit, the contemnor has tendered his unconditional apology for delay in implementing the order of this Court dated 22.02.2016.

5.Recording the submission made by the learned Government Advocate (Crl.Side) and the counter affidavit filed by the contemnor, this Contempt Petition is closed.

SD/-

JOINT REGISTRAR(OS)

kj

//Certified to be true copy//

Dated at Madras this the day of 2017.

COURT OFFICER(O.S.)

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

SM/28/12/2016

To

T.Jayakumar
The Inspector of Police
M-3 Puzhal Police station
Chennai.