

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 25.04.2016

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

Cont.P.No.803 of 2016

D.G.Ilangovan .. Petitioner

Versus

Thiru.T.K.Rajendran,
Commissioner of Police,
Chennai City, Chennai - 7. .. Respondent

Prayer: This Contempt Petition filed under Section 11 of the Contempt of Court Act, 70/71 to punish the respondents for having committed contempt of Court for disobeying the order dated 31.07.2015 and made in W.P.No.23214 of 2015.

For Petitioner : Mr.T.Sundaravadanam
For Respondent : Ms.P.Kavitha,
Government Advocate

O R D E R

Heard the submissions of Mr.Sundaravadanam, learned counsel appearing for the petitioner who would submit that though orders have been passed by the Commissioner of Police on 06.02.2016, it is based on some false particulars / information and prays for appropriate direction to set aside with a further direction, directing the respondent to consider the application for issuance of gun licence, in accordance with law.

2. Per contra, Ms.P.Kavitha, learned Government Advocate has invited the attention of this Court to the above said proceedings and would submit that in the light of the orders passed by this Court, the respondent has considered the application in accordance with law and rejected the same on account of the fact that the applicant is involved in a Criminal case in Cr.No.346 of 2014 for the alleged commission of offence under Sections 294(b), 323, 506 (i) IPC, pending investigation on the file of R-7, K.K.Nagar Police Station.

3. In response to the said submission, the learned counsel appearing for the petitioner would submit that though charge sheet has been filed in a case in Cr.No.21 of 2014 by the very same police at his instance, it has been taken on file in C.C.No.1298 of 2014 pending on the file of the Court of Chief Metropolitan Magistrate, Egmore, Chennai, no progress is made.

4. Since the order passed by this Court with regard to the request made by the petitioner for gun licence has been complied with in the form of rejection, this Court in exercise of its contempt jurisdiction cannot test the legality of the said order. Therefore, the contempt petition is closed granting liberty to the petitioner to challenge the order of the respondent dated 06.02.2016 in

accordance with law, before the competent forum. No Costs.

5. This Court taking into consideration the grievance expressed by the petitioner as to the pendency of C.C.No.1298 of 2014, as well as Cr.No.346 of 2014 directs the Court of Chief Metropolitan Magistrate, Egmore, Chennai to dispose of the said Calendar case as expeditiously as possible and further directs the Inspector of Police, R-7, K.K.Nagar Police Station, to complete the investigation in Cr.No.346 of 2014, registered against the petitioner and file a final report in accordance with law, as expeditiously as possible.

Ars

SD/
JOINT REGISTRAR(OS)

//Certified to be true copy//

Dated at Madras this the day of 2016.

सत्यमेव जयते COURT OFFICER(O.S.)
From 25th Day of September 2008 the Registry is issuing certified copies of the Orders/Judgments/Decrees in this format.

To

Thiru.T.K.Rajendran,
Commissioner of Police,
Chennai City, Chennai - 7.

JM/CO/02/06/2016

One CC to Government Pleader, SR.5388/2016

One CC to M/S.R.Rajiv Gandhi, Advocate, SR.5323/2016