



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 13.04.2016

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CONT.P.(MD) No.105 of 2016
in
CONTP.P.(MD) No.1413 of 2015
in
Crl.O.P.(MD) No.12944 of 2015

Ganesan

... Petitioner

vs.

Thillai Nagarajan
The Inspector of Police
Palayamkottai Police Station
Tirunelveli City

... Respondent

Prayer: Petition is filed under Section 11 of the Contempt of Courts Act, 1971 to initiate contempt proceedings against the Contemnor / Respondent and punish him for the willful disobedience of the order of this Court in CONT P(MD).No.1413/2015 dated 04.12.2015.

Prayer in CONT P(MD). 1413/ 2015 :

To punish the contemnor/ 2nd Respondent for willfully disobeying the order of this Honble Court in Crl.OP(MD) NO. 12944 of 2015 dated 10/07/2015.

Prayer in CRL OP(MD). 12944/ 2015 :

To issue a direction directing the 2nd respondent to conduct an enquiry related to the threat of the life and limb of the petitioner based on the representation dated 20.6.2015 and thereafter to provide necessary police protection to the life and limb of the petitioner.

For Petitioner : Mr.B.Arun

For Respondent : Mrs.S.Prabha
Govt. Advocate (Crl.Side)

O R D E R

It is seen that on 10.07.2015, this Court has passed the

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

"3. The petitioner alleges threat to his life as he



has taken up the cause against unauthorized mining. Seeking police protection, the petitioner has given a representation dated 20.06.2015.

4. Taking note of the pendency of the representation, the respondent No.2 is directed to conduct an enquiry and take appropriate action in accordance with law.

5. With the above directions, this petition is disposed of."

2. The petitioner filed a contempt application, in Cont.P.(MD) No.1413 of 2015, alleging that the respondent Police has violated the Order, dated 10.07.2015, passed by this Court. On 04.12.2015, in Cont.P.(MD) No.1413 of 2015, this Court has passed the following Order:

"4.At this juncture, it is further represented by the respondent that after taking orders from this Court for police protection, the petitioner started using the deputed police officer for his personal work in the presence of general public with an intention to pose himself as a VIP and that there is no real threat to the petitioner as stated by him. In addition, it has been stated that the house of the petitioner was brought under area of the petitioner since 29.08.2015, which is evident from the police patta book being maintained by him.

6.Taking note of the submissions made hereinabove, this contempt petition is closed. In the event of the petitioner making any representation for police protection, the same shall be considered by the concerned respondent Police in accordance with law."

3. Once again, the petitioner has filed this second contempt petition on the ground that the respondent Police have violated the directions issued by this Court in Paragraph No.6 of the Order, dated 04.12.2015, in Cont.P.(MD) No.1413 of 2015.

4. In the considered opinion of this Court, Paragraph No.6 of the Order, dated 04.12.2015, in Cont.P.(MD) No.1413 of 2015, should not be read in isolation and it should be read with Paragraph No.5 of the said Order, wherein this Court has clearly noticed that the petitioner was taking advantage of the Police protection given to him by posing himself as V.I.P. Furthermore, in Paragraph No.6 of the said Order, this Court has not granted any positive direction for giving police protection to the petitioner. Under such circumstances, it cannot be said that the respondent has violated the Order, dated 04.12.2015, passed by this Court in Cont.P.(MD) No.1413 of 2015.



5. Accordingly, this contempt petition is closed.

Sd/-
Assistant Registrar

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/TRUE COPY/

Sub Assistant Registrar

To:

1. Thillai Nagarajan,
The Inspector of Police,
Palayamkottai Police Station,
Tirunelveli City.
2. The Additional Public Prosecutor
Madurai Bench of Madras High Court, Madurai

+1cc to Mr.B.Arun, Advocate, Sr.No.21373

krk

JM/GSV-PM/21.04.2016/3P-4C

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