



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.09.2016

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THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

Cont.P.(MD)No.797 of 2016
in
Crl.O.P.(MD)No.1059 of 2016

Palanichamy

..Petitioner/Petitioner

Vs

1. Mr.Aravindan
The Superintendent of Police,
Virudhunagar District.

2. Mr.R.Rajendran,
The Inspector of Police,
North Police Station,
Rajapalayam,
Virudhunagar District.

.. Respondents/Respondents

Prayer:- Contempt Petition filed under Section 11 of the Contempt of Courts Act to punish the respondents for willful disobedience of the order dated 21.01.2016 made in Crl.O.P.(MD)No.1059 of 2016.

Prayer in CRL OP(MD). 1059/ 2016 :

To direct the 2nd respondent to award adequate police protection to the petitioner and enabling the petitioner to go up with the construction works in the No.11/1A2 and survey No.11/1A Rajapalayam Town, Virudhunagar District in light of the Judgment and degree delivered by the Learned Additional District Munsiff Court, Srivilliputhur in O.S.No. 1094 of 2004 dated 08.11.2012 by considering the petitioners representation dated 12.01.2016.

For Petitioner : Mr.R.Niresh Kumar

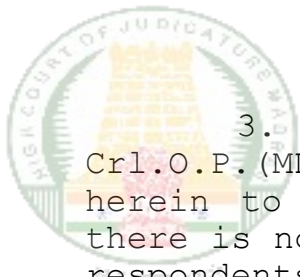
For Respondents : Mr.K.Anbarasan

Government Advocate(Crl.Side)

O R D E R

This petition has been filed to punish the respondents for willful disobedience of the order dated 21.01.2016 made in Crl.O.P.(MD)No.1059 of 2016.

2. Heard the learned Counsel for the petitioner and the learned Government Advocate (Crl.Side) appearing for the respondents.



3. While ordering notice to the respondents 2 to 5 in CrI.O.P.(MD)No.1059 of 2016, this Court directed the respondents herein to provide interim police protection to the petitioner if there is no legal impediment for construction of compound wall. The respondents have filed a counter affidavit stating that the property in dispute is used as pathway by more than 3000 public residing in that area and they have opposed for construction of the compound wall. It is further stated that the application filed by the petitioner to the local Planning Authority for construction of compound wall is now pending before the Railway Department to get their concurrence. In the above said circumstances, they were not able to give police protection to the petitioner.

4. In view of the above, this Court is of the opinion that the respondents have not committed any willful contempt. Hence, this Contempt Petition is closed.

Sd/-

Assistant Registrar (Records)

/True Copy/

Sub Assistant Registrar

To

1. Mr.Aravindan
The Superintendent of Police,
Virudhunagar District.
2. Mr.R.Rajendran,
The Inspector of Police,
North Police Station, Rajapalayam,
Virudhunagar District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

SSL

TE/DB : 24/10/2016 : 2P/4C

Cont.P. (MD) No.797 of 2016
in

CrI.O.P. (MD) No.3538 of 2016
23.09.2016