

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.10.2018

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

Contempt Petition No.137 of 2018

Tr.Kaliamoorthy ... Petitioner

Vs

Mr.Murali Rambha
The Superintendent of Police,
The Nilgiris,
The Nilgiris District. ..Respondent

Prayer:- This Contempt Petition has been filed under Section 11 of the Contempt of Courts Act, 1971 to punish the respondent for contempt of Court and for willful disobedience of the order passed by this Hon'ble High Court in dated 30.10.2017 made in Crl.O.P.No.17713 of 2017.

For Petitioner : Mr.S.Elambharathi

For Respondent : Mr.B.Arul Mozhivarman
Government Advocate

ORDER

The petitioner herein is the respondent in Crl.O.P.No.17713 of 2017 filed by one V.Senthilkumar. By order dated 30.10.2017, the petitioner therein/V.Senthilkumar, was granted liberty to approach the first respondent herein seeking Police protection and on such representation, the respondent herein/the Superintendent of Police, Nilgiris, was directed to give due opportunity to the respondents 3 to 5 therein including the petitioner herein namely Kaliamoorthy and after considering the objections of the respondents 3 to 5 therein, including the petitioner herein, was directed to pass appropriate orders, within a period of four weeks from the date of receipt of a copy of that order.

2.The present Contempt petition has been filed by one of the respondent therein, viz., Kaliyamoorthy, stating that when the petitioner in Crl.O.P.No.17713 of 2017 had made an application for Police protection, no opportunity was given to him.

3.The Learned Government Advocate (Crl. Side) on the other hand submits that due opportunity was given to both the petitioner as well as the respondents in Crl.O.P.No.17713 of 2017.

4.I don't want to go into such disputed facts involved in the case. The reason is that, the order in

Crl.O.P.No.17713 of 2017 came to be passed at the instance of the petitioner therein viz., Senthilkumar and the first respondent therein was directed to give due opportunity to the petitioner in the Contempt Petition viz., Kaliamoorthy at the time of scrutinizing the application for police protection. In case, the petitioner herein is of the view that, no opportunity was given to him when the application for police protection was considered, it may not amount to contempt of the order passed by this Court but would give rise to a cause of action for the petitioner herein to work out his remedies by challenging the action taken thereon.

5.In view of the same, the contempt petition stands closed with the above observations.

05.10.2018

jbm

Index: Yes/No

Speaking order/non speaking order

M.S.RAMESH.J.,

jbm

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