

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.02.2018

CORAM:

THE HONOURABLE MR. JUSTICE S. VAIDYANATHAN

Contempt Petition No.516 of 2018

K.Mohanan

... Petitioner

vs.

Santhosh Hathimani
Deputy Superintendent of Police,
Chengalpattu District,
Chengalpattu.

... Respondent

Contempt Petition filed under Section 11 of the
Contempt of Courts Act, seeking to punish the Respondent
for deliberately disobeying the order dated 03.03.2014
passed by this Court in CrI.O.P.No.4112 of 2014.

For Petitioner : Mr.S.Thiruvengadam

For Respondent : Mr.T.Shanmuga Rajeswaran,
Government Advocate

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The Petitioner has come up with the present Contempt
Petition seeking to punish the Respondent for deliberately
disobeying the order dated 03.03.2014 passed by this Court
in CrI.O.P.No.4112 of 2014.

2. According to the Learned Counsel for the Petitioner, the order of this Court has not been complied with, and the Respondent/Police has not properly investigated the matter, as to who has driven the Vehicle in question.

3. Today, when the matter is taken up for hearing, Learned Government Advocate produced the District Collector's Report dated 04.03.2008 before this Court.

4. Since the Petitioner has come forward with the present Contempt Petition, this Court cannot go into the contentions raised by the Petitioner in the Criminal Original Petition, even if there is a continuous cause of action, and the Petitioner's remedy is elsewhere. The Court will have to see whether there is contempt, which is wilful or deliberate and in Contempt proceedings, the Court cannot go into the merits of the Criminal Original Petition, again.

5. As the Closure Report dated 04.03.2014 has been produced before this Court, if the Petitioner is aggrieved, it is open to him to challenge the same before the appropriate forum.

6. The Respondent is directed to furnish a copy of the Closure Report dated 04.03.2014 to the Petitioner, within a period of one week from the date of receipt of a copy of this order.

The Contempt Petition is closed with the above direction.

SD/-
ASSISTANT REGISTRAR (COMM.CASES)
(aeb)

//Certified to be true copy//

Dated at Madras this the day of 2018.

COURT OFFICER (O.S.)

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CO/22/03/2018

one cc to M/s. S. Thiruvengadam, SR.No.3281.

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