

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.12.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

Contempt Petition No.1635 of 2017

C.Muthupandian @ Muthupandi ... Petitioner

-vs-

1. Mr.Niranjan Mardi, IAS
The Secretary to Government
Government of Tamil Nadu
Home Department
Fort St.George
Chennai 600 009
2. Mr.A.K.Viswanathan, IPS
Commissioner of Police
Chennai City
Office of the Commissioner of Police
Egmore, Chennai 600 008
- 3 Mr.Arokia Prakasam
The Assistant Commissioner of Police
Triplicane Range
Chennai 600 005
4. Mr.Sivakumar
The Inspector of Police
D-2 Anna Salai Police Station
Chennai ... Respondents

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Petition under Section 11 of the Contempt of Courts Act, 1971 praying to punish the respondents for wilful disobedience of the order of this Court dated 4.1.2017 made

For Petitioner	::	Mr.AR.L.Sundaresan Senior Counsel for Mr.R.Rajeshkumar
For Respondents	::	Mr.M.Elumalai Government Advocate

ORDER

This petition has been filed seeking to initiate contempt proceedings against Mr.Arokia Prakasam, Assistant Commissioner of Police, Triplicane Range and Mr.Sivakumar, Inspector of Police, D-2 Anna Salai Police Station, Chennai for frequently violating the direction issued by this Court and directly interfering with the conduct of the Indian cultural dance programme in the Hotel Platinum Stars run by the petitioner.

2. Mr.A.R.L.Sundaresan, learned Senior Counsel for the petitioner submitted that when this Court has granted an order of interim injunction on 4.1.2017 subject to the conditions that the petitioner shall not conduct any obscene dance programmes; that the petitioner shall not create law and order problem and that the petitioner shall not conduct dance programme beyond 10.00 PM, the respondents 3 & 4 have visited the petitioner's premises at the time of conducting the dance shows on 1.8.2017 and

7.8.2017 along with five police personnel and also asked the petitioner to stop the shows. Immediately the petitioner has also given a representation on 8.8.2017 requesting the respondents not to violate the order passed by this Court on 4.1.2017. Since the respondents 3 & 4 visited along with five other police personnel, the petitioner also stopped the Indian cultural dance programme, as a result the petitioner has been put to severe prejudice including loss of revenue. Therefore, action should be taken against them for violating the order of the Court and also for interfering with the affairs of the Hotel Platinum Stars.

3. Mr.M.Elumalai, learned Government Advocate for the respondents submitted that the allegations made by the petitioner are completely unacceptable. The reason being that Mr.M.Thangaraj, Inspector of Police and Mr.Srinivasagam, Sub Inspector of Police attached to D-2 Anna Salai Police Station, who are present before the Court, have repeatedly denied the allegations and they have also made a statement before the Court that at no point of time they visited the Hotel Platinum Stars as alleged by the petitioner in his representation dated 8.8.2017, although they visited another restaurant and that they have

also no objection for the Hotel Platinum Stars to continue the Indian cultural dance programme in the premises.

4. Accepting the statement made by the Inspector of Police and the Sub Inspector of Police of D-2 Anna Salai Police Station before the Court, this contempt petition stands closed. Needless to mention that the petitioner shall continue the Indian cultural dance programme, as per the terms and conditions mentioned in the order dated 4.1.2017, in the Hotel Platinum Stars. Consequently, Sub Application Nos.362 of 2017 & 491 of 2018 are also closed.

SD/-

ASSISTANT REGISTRAR (COMM.CASES)

ss

//Certified to be true copy//

Dated at Madras this the day of 2018.

COURT OFFICER (O.S.)

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