

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.03.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.No.6302 of 2020

K.Alfred

S/o. S.K.Dharmaraj

... Petitioner

Vs.

1. The State rep. By its
The Inspector of Police,
J-1, Saidapet Police Station,
Saidapet - West,
Chennai -600 015.
 2. The Commissioner of Police,
Office of the Commissioner of Police,
Vepery, Chennai - 600 007.
 3. The Managing Director,
Metropolitan Transport Corporation,
Pallavan House, Chennai - 600 002.
 4. The Transport Secretary,
Govt. of Tamil Nadu,
St. George Fort,
Chennai - 600 009.
 5. The Registrar General,
Madras High Court,
Chennai - 600 104.
- ... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the first respondent and the second respondent to register the complaint dated 21.10.2019 and recover the petitioner's Contempt Petition No.652 of 2019 documents, to file a SLP before the Supreme Court of India.

For Petitioner : Mr.K.Alfred
(Party-in-person)

For Respondents

For R1 & R2: Mr.M.Mohamed Riyaz
Additional Public Prosecutor.

O R D E R

This petition has been filed for direction to direct the respondents 1 & 2 to register the complaint dated 21.10.2019 and also seeking direction to recover the petitioner's Contempt Petition No.652 of 2019 documents, to file a SLP before the Supreme Court of India.

2. The petitioner submitted that he employed as driver in the Pallavan Transport Corporation and he was terminated from service on 05.09.1986 and thereafter, he was reinstated into service. Again he was suspended and ordered to pay a sum of Rs.2,00,000/- as back wages without reinstatement. The said amount was enhanced by this Court in W.P.No.18301 of 2015 as Rs.5,00,000/-. While being so, the petitioner has travelled in a bus without taking ticket, for which there was a dispute between the checking inspector and the petitioner. Hence the petitioner lodged the complaint dated 21.10.2019 before the first respondent. Since the same has not been considered, the present Criminal Original petition has been filed.

3. Heard Mr.K.Alfred, party-in-person and Mr.M.Mohamed Riyaz, learned Additional Public Prosecutor appearing for the respondents 1 & 2.

4. It is seen from the records, the petitioner was terminated from service from the Metropolitan Transport Corporation and also paid compensation as per the order of this Court. Even then, the petitioner filed contempt petition in Cont.P.No.652 of 2019 to punish the Managing Director, Metropolitan Transport Corporation, for non compliance of the order passed by this Court in W.A.No.1441 of 2017. The Hon'ble Division Bench of this Court by an order dated 31.10.2019, closed the said contempt petition, by recording the submissions made by the Managing Director, Metropolitan Transport Corporation, with liberty to the petitioner to workout his remedy before the competent forum. Accordingly, the petitioner was paid compensation as awarded by this Court.

5. While being so, the petitioner quarelled with the Metropolitan Transport Corporation checking inspector in respect of the ticket, while he travelled in a bus. On perusal of

complaint, there is absolutely no offence made out as against the checking inspector of Metropolitan Transport Corporation to register a case on the petitioner's complaint dated 21.10.2019. Therefore, this Court is not inclined to entertain this petition and the same is devoid of merits. Accordingly, this Criminal Original petition is dismissed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

1. The Inspector of Police,
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