

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.08.2020

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Cont. P.No.641 of 2020

and

Sub Applicationc(OS) No.302 of 2020

Sugumar,
S/o.Sigamani,
No.1, Dr.Ambedkhar Street,
Tamilazhar Nagar,
Shenoy Nagar, Chennai-600 030.

...Petitioner in Contempt
Petition/ Sub Application

Vs.

P.Raja,
The Assistant Commissioner of Police,
Kilpauk Range,
Kilpauk Chennai.

...Respondent in Contempt
Petition/ Sub Application

PRAYER: Contempt Petition filed under under article 11 of Contempt of Courts Act praying to initiate contempt of Court proceedings against the respondent herein for willfully disobeying the order passed by this Court in Crl.O.P.No.33640 of 2019 dated 13.12.2019 and punish the respondent.

Sub Application No.302 of 2020:

Sub Application filed under Section 151 CPC to dispense with the certified copy of the order dated 13.12.2019 in Crl.O.P.No.33640 of 2019.

For Petitioner : M/s.T.Muruganantham, M.Rajkumar
For Respondent : Mr.S.Karthikeyan
Additional Public Prosecutor

ORDER

This petition has been filed to punish the respondent for disobeying the order passed by this Court in CrI.O.P.No.33640 of 2019 dated 13.02.2019.

2.The learned counsel for the petitioner would submit that this Court directed the respondents to consider the petitioner's representation dated 02.03.2019 for removing his name from the history sheet within a period of six weeks from the date of receipt of a copy of this order. He further submitted that the respondent duly received the order passed by this Court and even till today did not considered the representation of the petitioner and not passed any order as directed by this Court.

3. The learned Additional Public Prosecutor submitted that due to Covid-19 pandemic circumstances, as directed by this Court, the respondent could not consider the representation of the petitioner within a period of six weeks from the date of receipt of a copy of this order. However, now on 28.08.2020 the petitioner's representation was considered and also passed the order. He also seek unconditional apology for not disposing the representation within the time stipulated by this Court due to Covid-19 pandemic circumstances.

4. Considering the above submission, no contempt is made out as against the respondent, since the respondent already passed the order on the representation of the petitioner dated 28.08.2020. However, the respondent is directed to serve the copy of the same to the petitioner forthwith and on receipt of the same the petitioner is at liberty to challenge the same in the manner known to law if so advised. Consequently connected sub application is also closed.

SD/-

ASSISTANT REGISTRAR(COMM.CASES)

mpa

//Certified to be true copy//

Dated at Madras this the day of 2020.

COURT OFFICER(O.S.)

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SMI/05.10.2020

To

1.The Assistant Commissioner of Police,
Kilpauk Range,
Kilpauk Chennai.

2.The Public Prosecutor,
High Court, Madras.