



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.03.2020

CORAM:

THE HONOURABLE MR.JUSTICE **G.R.SWAMINATHAN**

Cont.P.(MD)No.142 of 2020

in

W.P.(MD)No.22218 of 2019

T.Krishnamoorthy

... Petitioner / Petitioner

Vs

Manivannan,
The Superintendent of Police,
Surveyor Colony,
Madurai,
Madurai District.

... Contemnor /Respondent No.5

PRAYER: Petition filed under Section 11 of the Contempt of Courts Act, to punish the respondent herein for his willful disobedience of the order passed by this Court in W.P.(MD)No.22218 of 2019 dated 21.10.2019.

Prayer in WP(MD)No.22218 of 2019

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To Direct the respondent 1 to 5 to accord appropriate prior sanction to prosecute the respondents 9 and 10 herein as stipulated under Section 197 the code of Criminal Procedure 1973 for filing private complaint on the basis of representation of the Petitioner dated 13.09.2019

For Petitioners : Mr.S.Muthukumar

For Respondent : Mr.A.Robinson
Government Advocate (Crl. Side)

ORDER

The petitioner alleges the breach of the direction given vide order dated 21.10.2019 in W.P.(MD)No.22218 of 2019. The petitioner has sought prior sanction to prosecute the Special Sub Inspector of Police and Head Constable. The petitioner is labouring under the impression that he requires sanction under Section 197 of Cr.P.C. Section 197 of Cr.P.C., will come into force only if the public servant concerned is not removable from his office save by or with the sanction of the Government. Neither the Special Sub Inspector



Cont.P(MD)No.142 of 2020

of Police nor the Head Constable will fall within the purview of the Section 197 of Cr.P.C. The very filing of the contempt petition is misconceived. Hence, I am not inclined to entertain this contempt petition and it stands closed.

Sd/-

Assistant Registrar

WEB COPY

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

ias

To:

The Superintendent of Police,
Surveyor Colony,
Madurai,
Madurai District.

Cont.P. (MD) No.142 of 2020

in

W.P. (MD) No.22218 of 2019

SMA/05/06/2020/2P/2C