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Sub Application No.516 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 07.01.2021

CORAM :

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Sub Application No.516 of 2015
in
Contempt Petition No.1216 of 2014

M.Velumani,
S/o.Muthusamy & Muthu Gounder ...Petitioner

Vs.

V.Ranganayaki,
Revenue Divisional Officer
Cum Sub Divisional Magistrate,
Sankari,
Salem District. ...Respondent

PRAYER: This petition filed under Section 151 CPC., to reopen the above Contempt Petition (No.1216/2014) in Crl.O.P.No.28957 of 2013 dated 09.06.2014 and dispose of the same in accordance with law.

For Petitioner : Mr.S.Ayyathurai

For Respondent : Mrs.Saradha Devi,
Government Advocate (Crl.Side)



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ORDER

(The case has been heard through video conference)

When the matter is taken up today for hearing, the learned counsel appearing for the petitioner would submit that originally in CrI.O.P.No.28957 of 2013, this Court by an order dated 12.11.2013, had directed the Sub Divisional Magistrate/the Revenue Divisional Officer Sankari, Salem District, to dispose of the proceedings under Section 145 Cr.P.C., initiated on the report of the Sankari Police Station, Salem District expeditiously and pass final orders, preferably within a period of two months from the date of receipt of a copy of this Order. Since, the order has not been complied with, the petitioner had filed Contempt Petition No.1216 of 2014.

2. The learned counsel for the petitioner would submit that on 09.06.2014, when the Contempt Petition No.1216 of 2014 had been listed before this Court, based on the submission of the learned Government Advocate (CrI.Side) appearing for the respondent, that the matter was enquired and final order was passed on 13.12.2013 and that order copy was also furnished to the petitioner, this Court closed the Contempt Petition.

3. He would submit that later on verification with the



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respondent, it came to light that no enquiry had been conducted and that it was found that the alleged order dated 13.12.2013 was only a reference letter of the SDM/RDO, Sankari to the Sub Inspector of Police, Sankari Police Station advising him not to refer the case under Section 145 Cr.P.C., and that actually no enquiry was conducted as stated by the respondent. In view of the same, the petitioner has filed this Sub Application No.516 of 2015, seeking to re-open the Contempt Petition No.1216 of 2014. However, the learned counsel would submit that the order has been passed on 09.06.2014 and by efflux of time, disputes have been settled and nothing survives for adjudication in this matter and he would seek for closure of the petition.

4. Recording the same, this Sub Application stands closed.

07.01.2021

Index:Yes/No
Internet:Yes/No
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A.D.JAGADISH CHANDIRA, J.



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