



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 03.12.2021

CORAM

THE HONOURABLE MR.JUSTICE G.ILANGOVAR

Cont.P.(MD)No.1406 of 2021

WEB COPY

Tharageshwari

... Petitioner/Petitioner

Vs.

Elumalai,
The Inspector of Police,
Thiruppuvanam Police Station,
Sivagangai District.

... Contemnor/Respondent No.3

Prayer : Contempt Petition filed under Section 11 of the Contempt of Courts Act, to issue summons to the contemnor/respondent for the willful disobedience of the orders of this Court passed in order dated 16.05.2018 in Crl.O.P.(MD)No.7935 of 2018 and punish the contemnor/respondent under the provisions of Contempt of Courts Act.

Prayer in CRL OP(MD) . 7935/ 2018 :

To direct the 3rd respondent to register a case on the complaint given by the petitioner dated 23.04.2018.

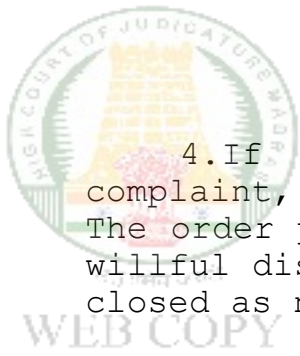
For Petitioner : Mr.V.Kannan
For Respondent : Mr.B.Thanga Aravindh,
Government Advocate(Crl.side)

ORDER

This contempt petition has been filed to issue summons to the contemnor/respondent for the willful disobedience of the orders of this Court passed in order dated 16.05.2018 in Crl.O.P.(MD)No.7935 of 2018 and punish the contemnor/respondent under the provisions of Contempt of Courts Act.

2.While disposing the criminal original petition in Crl.O.P.(MD)No.7935 of 2018, on 16.05.2021, this Court issued a direction to the respondent to enquire the matter and if any cognizable offence is made out, First Information Report must be registered. Now, the grievance of the petitioner is that even though there is specific direction to register a case, no FIR has been registered and the complaint was closed stating that it is civil dispute and suit is pending. According to the learned counsel for the petitioner it is not proper disposal.

3.The learned Government Advocate(Crl.side) appearing for the respondent would submit that the petitioner did not co-operate with the investigation and only the counter party appeared and submitted documents. During enquiry, it was found that suit in O.S.No.16 of 2015 is pending before the civil Court and based on the undertaking given by the counter party, the complaint was closed.



4.If the petitioner is aggrieved by the closure of the complaint, she can workout her remedy in the manner known to law. The order passed by this Court has been complied with. There is no willful disobedience of the order. Hence, this contempt petition is closed as nothing more is required for consideration.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

gns

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO:-

- 1.The Inspector of Police,
Thiruppuvanam Police Station,
Sivagangai District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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