



Cont.P(MD)No.1428 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.12.2022

CORAM

THE HONOURABLE MR. JUSTICE **SATHI KUMAR SUKUMARA KURUP**

Cont.P(MD)No.1428of 2022

in

W.P(MD) No.6979 of 2022

L.Thangarojika

.. Petitioner

Vs.

Senthilkumar
The Inspector of Police
Manavalakurichi Police Station,
Kanyakumari District

.. Contemnor

Prayer : This petition is filed under Section 11 of Contempt of Court Act to punish the Contemnor/Respondent for disobeying the orders of this Honourable Court passed in W.P.(MD).No.6979 of 2022 dated on 13.04.2022

For Petitioner : Mr.S.Karthikeyan

For Respondent : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor

ORDER

This Contempt petition has been filed to punish the Contemnor/Respondent for disobeying the orders of this Honourable Court passed in W.P.(MD).No.6979 of 2022 dated on 13.04.2022



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2. It is the submission of the learned Counsel for the Petitioner that the Petitioner was in the online business with the Respondents 3 and 4 in the Writ Petition. The then learned Single Judge of this Court had directed the first and second Respondents in the Writ Petition to conduct enquiry on the complaint alleged to have been committed by the Petitioner in W.P(MD) No.6679 of 2022 after issuing notice to the Petitioner and the Respondents 3 and 4 and dispose the case within a period of two weeks from the date of receipt of a copy of this order. The Respondents 1 and 2 had not acted as per the order. Therefore he had filed this petition.

3. The learned Additional Public Prosecutor would submit that Respondents 3 and 4 and the Petitioner herein were dealing with online business in which the Petitioner was assured 8% commission. Since it is online business there was loss and only Rs.1,55,000/- was paid to him. The Respondents 3 and 4 appeared and sought time for payment of balance amount and the Respondents 3 and 4 undertake that they will pay the balance the amount within specified time. At that time, the petitioner did not accept the same. Also the Petitioner herein had stated that he will seek remedy through the Court. Therefore this petition was closed by the second Respondent.



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4. Since the second Respondent had conducted enquiry in the light of the order passed by the learned Single Judge of this Court in W.P.(MD) No.6979 of 2022 now the contempt petition will not lie against the second Respondent when the Respondents 3 and 4 appeared before the second Respondent and sought time stating that he will collect the money through the Court. Therefore the Petitioner is directed to approach the Civil Court for the remedy.

5. With the above direction, the Contempt Petition is closed.

02.12.2022

Internet : Yes
Index : Yes/No
Speaking/Non Speaking order
aav

To

Senthilkumar
The Inspector of Police
Manavalakurichi Police Station,
Kanyakumari District



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SATHI KUMAR SUKUMARA KURUP, J.

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