



WEB COPY



Cont.P.No.1353 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.07.2023

CORAM

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

Cont.P.No.1353 of 2023

1. K.Vasanthalakshmi
2. K.Nandhini
3. K.Indhumathi

... Petitioners

Vs.

1. Dr.K.S.Balakrishnan
Superintendent of Police,
Tirupathur District,
Tirupathur.
2. R.Hemavathi,
Inspector of Police,
Tirupathur Town Police Station,
Tirupathur,
Tirupathur District.
3. V.Kalaisekaran

... Respondents

Prayer:- Contempt petition has been filed under Section 11 of the Contempt of Courts Act, 1971, praying to punish the respondents 1 to 3 for wilfully and wantonly disobeying the order of this Court dated 08.09.2022 in Crl.O.P.No.17857 of 2022.



Cont.P.No.1353 of 2023

For Petitioners : Mr. K.Selvaraj

For Respondents : Mr. S.Sugendran
Additional Public Prosecutor

ORDER

This Contempt Petition has been filed to punish the respondent for non compliance of the order dated 08.09.2022 passed by this Court in Crl.O.P.No.17857 of 2022, thereby recording the undertaken given by the third respondent and closed the petition filed by the petitioners.

2. It is seen that in pursuant to the judgment and decree passed in the civil Court in respect of the suit property, the petitioners are in peaceful possession and enjoyment of the suit property. However, the third respondent disturbed the peaceful possession and enjoyment of the petitioner in respect of the suit property. Therefore, the petitioner filed petition in Crl.O.P. No.17857 of 2022 seeking police protection in pursuant to the civil Court decree.

3. On the date of hearing, i.e., on 08.09.2022, the learned counsel for the third respondent appeared before this Court and submitted that the third respondent has no objection to the peaceful enjoyment of the petitioners



Cont.P.No.1353 of 2023

in respect of the suit schedule property. Recording the said submission, the direction petition was closed.

4. However, on 22.05.2023 when the petitioners were in possession of the property, they were assaulted by the third respondent and his men as such they lodged complaint as against the third respondent and others. On receipt of the same, the second respondent issued C.S.R.No.312 of 2023 and no FIR has been registered so far. The third petitioner was also admitted in the hospital on 22.05.2023 and she was discharged only on 23.05.2023, for the injuries sustained on the assault made by the third respondent.

5. Considering the above facts and circumstances, the second respondent is directed to conduct enquiry on the complaint lodged by the third petitioner dated 24.05.2023 in C.S.R.No.312 of 2023 and if any cognizable offence is made out as against the accused persons, register the FIR and proceed in accordance with law.



Cont.P.No.1353 of 2023

6. With the above directions, the Contempt Petition stands disposed

WEB COPY of.

05.07.2023

Internet: Yes

Index: Yes/No

Speaking/Non speaking order

rts



Cont.P.No.1353 of 2023

WEB COPY

To

1. The Superintendent of Police,
Tirupathur District,
Tirupathur.
2. The Inspector of Police,
Tirupathur Town Police Station,
Tirupathur,
Tirupathur District.
3. The Public Prosecutor,
Madras High Court,
Chennai.



WEB COPY



Cont.P.No.1353 of 2023

G.K.ILANTHIRAIYAN, J.

rts

Cont.P.No.1353 of 2023

05.07.2023