



Cont.P.No.1776 of 2022

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.07.2023

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

Contempt Petition No.1776 of 2022

C.Ponnusamy

... Petitioner

Vs.

B.Jeganathan
Inspector of Police,
Thiruchengode Rural Police Station,
Thiruchengode, Namakkal District.

... Respondent

PRAYER : Contempt Petition filed under Section 11 of Contempt of Courts Act, 1971, to punish the respondent herein for having committed the act of contempt of this Court's order dated 22.04.2022 in CrI.O.P.No.9184 of 2022.

For Petitioner : Mr.G.Arul Murugan

For Respondent : Mr.S.Vinoth Kumar
Government Advocate

ORDER

This petition has been filed seeking for contempt for non compliance of the order of this Court passed in CrI.O.P.No.9184 of 2022



Cont.P.No.1776 of 2022

dated 22.04.2022 in respect of providing police protection to the petitioner, whereby, this Court had directed the respondent herein to register a case and afford protection to the petitioner.

2.It is the case of the petitioner is that he is residing in his patta land bearing Survey No.103/3A of Molipalli Village, Tiruchengode Taluk, Namakkal District and his son had continuously harassed him, for which, he has given a complaint to the Inspector of Police, Tiruchengode Rural Police Station on 15.02.2022 and 05.04.2022 and since no action was taken by the Inspector of Police, he had filed a petition in CrI.O.P.No.9184 of 2022 before this Court and this Court, by order dated 22.04.2022, had directed the respondent Police to take steps against the fourth respondent therein and if necessary, register a case and afford protection to the petitioner. It is the further case of the petitioner that despite the order passed by this Court, his son had been continuously harassing and the respondent had not taken any action and thereby, warranting him to file this contempt petition.

3.When the matter was listed on 06.07.2023, a report was filed by the respondent Police before this Court and it was also submitted that the



Cont.P.No.1776 of 2022

petitioner was not residing in his house and despite summons being issued to the petitioner for enquiry, he has not appeared for enquiry.

4.The learned counsel for the petitioner submitted that since the fourth respondent therein/the son of the petitioner had continued with the harassment, the petitioner was unable to go to his house and thereby, he was forced to stay in her daughter's house at Erode and thereby, this Court, on 06.07.2023, had directed the petitioner to appear before the Inspector of Police, Thiruchengode Rural Police Station for enquiry on 8.07.2023.

5. When the matter was listed again on 10.07.2023, the learned Government Advocate submitted that pursuant to the order passed by this Court on 06.07.2023, both the petitioner and his son were summoned to the Police Station and the son has undertaken that he has no objection in his father going to the house and the son was also instructed not to prevent his father to go to his house and he was also warned that in the event of him objecting his father to come to the house, appropriate action would be taken. It was also represented that the son has informed that he would seek appropriate remedy before the Civil Court.



Cont.P.No.1776 of 2022

WEB COPY

6. When the matter is taken up for hearing today, the learned counsel for the petitioner submitted that as on today, the petitioner is living in his portion and there is no disturbance from his son. He further submitted that there is a possibility that any time the son may interfere with his possession and create a problem with him.

7. In reply, the learned Government Advocate submitted that in such an event, if the petitioner gives any complaint, appropriate enquiry would be conducted and suitable action would be taken.

8. Heard the learned counsel for the petitioner and the learned Government Advocate for the respondent and perused the entire materials available on record.

9. Taking into consideration the facts and circumstances of the case and the submissions made by the learned counsel on either side, this Court finds that no contempt has been committed by the respondent Police.



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Cont.P.No.1776 of 2022

10. In view of the above, this Contempt Petition is closed.

24.07.2023

vkr

To

1. The Inspector of Police,
Thiruchengode Rural Police Station,
Thiruchengode, Namakkal District.
2. The Public Prosecutor,
High Court of Madras.



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Cont.P.No.1776 of 2022

A.D.JAGADISH CHANDIRA.,J.

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