



WEB COPY



Contempt Petition No.2606 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.03.2023

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

Contempt Petition No.2606 of 2022

S.Palanichamy

... Petitioner

Vs.

R.Sundaram
The Deputy Commissioner of Police,
Madhavaram Milk Colony,
Madhavaram, Chennai.

... Respondent

PRAYER: Contempt Petition is filed under Section 11 of the Contempt of Courts Act, to punish the respondent for willful disobedience of the order passed in Crl.O.P.No.1104 of 2022 dated 27.01.2022 and corrected order as for the order of this Court dated 08.03.2022.

For Petitioner : Mr.Mohamed Riyaz

For Respondent : Mr.S.Vinoth Kumar,
Government Advocate (Crl.Side)

ORDER

This Contempt Petition has been filed for non-compliance of the order passed by this Court in Crl.O.P.No.1104 of 2022 dated 27.01.2022.



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2. The petitioner herein, earlier moved the petition in CrI.O.P.No.1104 of 2022 seeking direction to direct the respondents to return the custody of containers bearing Nos.DRYU3019424, MGEU1914398, DRYU2611399, MGEU2008660, MGEU1903388, MGEU1916873, MGEU1914654 & DRYU2591944 which were illegally taken away by private respondents with aid of some police personals. This Court, by order dated 27.01.2022, had given a direction, which reads as follows:-

“4. In view of the same, this Court directs the Deputy Commissioner of Police, Madhavaram, the Second respondent herein to take up the case and he is directed to enquire into the matter and on enquiry if its found that the fifth and sixth respondents, misused their official power, got involved in the business dispute and taken sides, used their Uniform Service for other purpose illegally, necessary departmental action would be taken against them. The Assistant Commissioner of Police, Ennore, Chennai shall furnish the particulars relating to this case and handover the case to the Deputy Commissioner of Police.”

3. The grievance of the petitioner is that despite the order of this Court dated 27.01.2022, no action has been taken by the Deputy Commissioner of Police, Madhavaram. Hence, the pre contempt notice



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dated 28.09.2022 was issued reminding the Deputy Commissioner to comply with the order of this Court in CrI.O.P.No.1104 of 2022 dated 27.01.2022 and thereafter, filed this petition.

4. Mr.S.Vinoth Kumar, learned Government Advocate (CrI.Side) appeared for the respondent and it is represented that major penalty charges have been initiated under Rule 3(b) of Tamil Nadu Police Subordinate Services (Discipline and Appeal Rules), 1955 against one S.Venkatesan, Sub Inspector of Police, M7 Manali New Town Law and Order Police Station and V.Kodiraj, Inspector of Police, M7, Manali New Town Law and Order Police Station presently posted as Inspector of Police, T-16 Nazerathpettai Crime Police Station. He further submitted that the charge memo would be dealt accordingly as per Rules. He further submitted that the Deputy Commissioner of Police has now taken over the complaint and he is conducting investigation and would deal with the same, in accordance with law. It is further submitted that now the Deputy Commissioner of Police had taken over the complaint and appropriate steps have been taken against the erring officials and he is looking after the complaint of the petitioner.



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17.03.2023

Index : Yes/No
Neutral Citation :Yes/No
AT

To
The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR,J.

AT

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