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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:**19.07.2023**

CORAM:

**THE HONOURABLE MR.JUSTICE S.S.SUNDAR
AND
THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY**

CONT.P(MD)NO.1263 OF 2023

in

CR.M.P.No.4505 of 2023

in

P.R.C.No.94 of 2022

Samusuluha

:Petitioner/Petitioner

.VS.

T.Arun Prasad,
Passport Officer,
Bharathi Ula Veethi,
Race Course Road,
Madurai – 625 002.

: Contemnor/Respondent

PRAYER: Contempt Petition filed under Section 11 of the Contempt of Courts Act against the Contemnor herein for his wilful disobedience to comply the order passed by the learned Judicial Magistrate Court NO.V, Tirunelveli in Cr.M.P.No.4505 of 2023 in P.R.C.No.94 of 2022, dated 3.5.2023 and punish him accordingly.

For Petitioner

:Mr.S.M.A.Jinnah

For Respondent

:Mr.K.Govindarajan
Deputy Solicitor General of
India



ORDER

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This Contempt Petition is filed by the Petitioner alleging wilful disobedience to comply with the order passed by the learned Judicial Magistrate Court No.V, Tirunelveli in Cr.M.P.No.4505 of 2023 in P.R.C.No.94 of 2022, dated 3.5.2023.

2.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3.The learned Deputy Solicitor General of India appearing for the respondent/Passport Officer has produced a communication, dated 23.6.2023 addressed to the Petitioner. The Petitioner, earlier appears to have only handed over the xerox copy of the order of the learned Judicial Magistrate NO.V, Tirunelveli to show that she was discharged from the criminal case. On further enquiry, it came into light and was also informed to the Petitioner that another criminal case in Crime No.1259 of 2004 is registered against the Petitioner and that the respondent did not furnish the details about the case. It is in these circumstances, it is for the Petitioner to satisfy the respondent about the information he is required to be furnished to



the respondent.

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4.In view of the statements found in the communication, this Court is of the view that the Petitioner has to get No Objection Certificate from the Station House Officer concerned or to satisfy the respondent about the queries raised. We find no wilful disobedience on the part of the respondent in complying with the orders of this Court.

5.Therefore, the Contempt Petition stands closed. It is open to the Petitioner to get No Objection Certificate and produce the certified copy of the order in Cr.M.P.4505 of 2023, so that the respondent will be in a position to consider the Petitioner's application in the manner known to law. No costs.

[S.S.S.R.,J.] [D.B.C.,J.]
19.07.2023

Index:Yes/No

Internet:Yes/No

NCC:Yes/No

vsn



To

T.Arun Prasad,
Passport Officer,
Bharathi Ula Veethi,
Race Course Road,
Madurai – 625 002.



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S.S.SUNDAR, J.

AND

D.BHARATHA CHAKRAVARTHY, J.

vsn

ORDER MADE IN

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