



Cont.P(MD)No.2013 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 02.02.2023

CORAM

**THE HON'BLE DR.JUSTICE G.JAYACHANDRAN
AND
THE HON'BLE MR.JUSTICE MR.JUSTICE SUNDER MOHAN**

**Cont.P(MD)No.2013 of 2021
in
W.A(MD)No.900 of 2021**

Lieutenant Colonel Ganesan S (Retd.)

.. Petitioner/Petitioner

Vs.

1. The State of Tamil Nadu,
Rep. by its Chief Secretary,
Mr.Irai Anbu, IAS,
Secretariat, Fort St.George,
Chennai-600 009.

2. The State of Tamil Nadu,
Rep. by its Home Secretary,
Mr.SK Prabhakar, IAS,
Department of Home,
Fort St.George,
Chennai-600 009.

3. Mr.Sailendra Babu, IPS,
The Director General of Police,
Office of the Director General of Police,
Beach Road, Mylapore,



Cont.P(MD)No.2013 of 2021

Chennai – 600 004.

WEB COPY

4. Ms.Kamini, IPS,
The Deputy Inspector General of Police,
O/o. The Deputy Inspector of Police,
Madurai Range,
New Natham Road,
Madurai.

5.Mr.Meghanatha Reddy IAS,
The District Collector,
Collectorate,
Virudhunagar District.

6.Mr.Manoharan, IPS,
The Superintendent of Police,
O/o. The Superintendent of Police,
Virudhunagar District,
Virudhunagar.

.. Contemnors/Respondents

PRAYER: Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971, to punish the 6th respondent for willful disobedience and violation of the orders passed in W.A(MD)No.900 of 2021 dated 21.04.2021 and to hold other Respondents accountable for the inaction of the 6th respondent.



Cont.P(MD)No.2013 of 2021

For Petitioner : Mr.J.Kather Hussain

For Respondents : Mr.D.Sasikumar
Additional Government Pleader

ORDER

DR.G.JAYACHANDRAN, J.
and
SUNDER MOHAN, J.

The contempt petition is filed alleging that the petitioner gave a representation to the authorities to conduct and complete departmental enquiry against the named erring police officials in C.C.No.207/2012 pending on the file of Judicial Magistrate, Aruppukkottai. When such representation was not acted upon and therefore sought for issuance of mandamus in W.P(MD)No.238 of 2014.

2. The learned Single Judge of this Court dismissed the writ petition vide order dated 15.10.2020. Aggrieved by the order of dismissal, the contempt petitioner preferred an intracourt appeal and same was considered by the Division Bench of this Court in W.A(MD)No.900 of 2021, wherein



Cont.P(MD)No.2013 of 2021

the order of the learned Single Judge was set aside giving liberty to the contempt petitioner to submit a representation to the Superintendent of Police, Virudhunagar District and if any such representation is made, same shall be considered and orders to be passed on merits in accordance with law, as expeditiously as possible. The order of the Division Bench came to be passed on 21.04.2021. Alleging that pursuant to the direction of the Division Bench, he gave his representation on 03.06.2021 but no order passed by the Superintendent of Police, Virudhunagar. With the said allegation this contempt petition is filed.

3. Today, the learned Additional Government Pleader produced the proceedings of the Superintendent of Police, Virudhunagar, dated 23.03.2022 which indicates that after the order of this Court dated 21.04.2021, the contempt petitioner has given representation on 03.06.2021. The said representation was disposed of by the sixth respondent without affording an opportunity of personal hearing. When the present contempt petition was taken up for hearing, the learned Additional Government Pleader pointing out that the representation was disposed of without giving



Cont.P(MD)No.2013 of 2021

opportunity to the petitioner on 20.01.2022. Hence, this Court has directed the contemnor to give an opportunity of personal hearing to the petitioner and pass appropriate orders. Accordingly, after affording opportunity of personal hearing to the petitioner, the order dated 23.03.2022 been passed.

4. From the proceedings, we find that the criminal case against the police personnels in C.C.No.207 of 2012 has been quashed by the High Court against all the accused and also the departmental proceedings initiated by the department against them was set aside by the High Court in the respective writ petitions filed by the aggrieved police personnels.

5. In the light of the above fact, this Court finds nothing survives in this contempt petition. Hence, this contempt petition is dismissed.

[G.J.,J.] & [S.M.,J.]
02.02.2023

Internet: Yes
Index: Yes/No
NCC: Yes/No
PJJ



Cont.P(MD)No.2013 of 2021

WEB COPY

To

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The Chief Secretary,
Secretariat,
Chennai-600 009.

2. Mr.SK Prabhakar, IAS,
The Home Secretary,
Department of Home,
Fort St.George,
Chennai-600 009.

3. Mr.Sailendra Babu IPS,
The Director General of Police,
Office of the Director General of Police,
Beach Road, Mylapore,
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4. Ms.Kamini, IPS,
The Deputy Inspector General of Police,
O/o. The Deputy Inspector of Police,
Madurai Range,
New Natham Road,
Madurai.

5. Mr. Meghanatha Reddy IAS,
The District Collector,
Collectorate,
Virudhunagar District.

6. Mr. Manoharan, IPS,
The Superintendent of Police,
O/o. The Superintendent of Police,
Virudhunagar District,



Cont.P(MD)No.2013 of 2021

Virudhunagar.

7. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Cont.P(MD)No.2013 of 2021

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