



Cont.P.No.540 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **23.07.2024**

CORAM:

THE HONOURABLE MR.**JUSTICE R.SUBRAMANIAN**

and

THE HONOURABLE MR.**JUSTICE V.SIVAGNANAM**

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Dharmaraj

: Petitioner

versus

Subash,
Inspector of Police,
Kavandapadi Police Station,
Erode District

: Respondent

Prayer : Contempt petition filed to punish the respondents for violating the order passed by this Court in HCP No.279 of 2021 dated 26.02.2021.

For Petitioner

: No appearance

For Respondent

: Mr.R.Muniyappan,
Additional Public Prosecutor

ORDER



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(made by R.SUBRAMANIAN, J.)

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We do not see any cause for contempt. The operative portion of the order, violation of which is complained of, reads as follows:

"7. The petitioner stated that he will handover the certificates of Josephin Selva Mano to the second respondent and similarly, Josephin Selva Mano also stated that she will handover the jewels to the second respondent. Therefore, we direct the parties to exchange their articles in the presence of the second respondent - Inspector of Police, Kavandapadi Police Station, Erode District."

2. The contempt petition is filed against the Inspector of Police, Kavandapadi Police Station, Erode District. There is no positive direction to the said officer in the operative portion of the order. The operative portion of the order, to our understanding, is only an enabling order, which requires the parties to do the exchange of jewellery and certificates in the presence of the Inspector of Police.



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The only role that is to be played by the Inspector of Police is to be present at the time of exchange. So, there is no scope for the Inspector committing contempt of the order. Hence, the contempt petition is dismissed.

(R.S.M., J.) (V.S.G., J.)
23.07.2024

Index : Yes/no
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R.SUBRAMANIAN, J.

and

V.SIVAGNANAM, J.

(tar)

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