



WEB COPY

Cont.P.No.537 of 2024

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED: 18.12.2024**

**CORAM :**

**THE HONOURABLE DR.JUSTICE ANITA SUMANTH  
and  
THE HONOURABLE MR.JUSTICE G. ARUL MURUGAN**

**Cont.P.No.537 of 2024  
and  
Sub.Appl.No.1343 of 2024**

B.Mohammed Meera

.. Petitioner

VS

Sri Shankar Jiwal, I.P.S.,  
The Director General of Police  
Office of Director General of Police,  
Kamarajar Salai, Chennai – 600 004.

.. Respondent

Prayer : Petition filed under Section 11 of the Contempt of Courts Act,  
1971 to punish the respondent for not complying the order of this Court  
passed in W.A.No.2518 of 2018 dated 09.03.2023.

For Petitioner : Mr.C.Ravichandran

For Respondents : Mr.P.Kumaresan  
Additional Advocate General  
assisted by  
Mrs.J.Anitha  
Special Government Pleader



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**ORDER**

WEB COPY (Order of the Court was made by Dr.ANITA SUMANTH.,J)

Read this order in continuation of and in conjunction with order dated 12.12.2024 extracted below:

*'On 13.11.2024, our predecessor Bench had ordered as follows:-*

*Issue statutory notice to the respondent, returnable in four weeks.*

*Post the matter after four weeks.*

*2. Today, when the matter is called, Mr.P.Kumaresan, learned Additional Advocate General merely and tentatively states that an application is being filed seeking dispensation of the presence of the contemnor. No application for dispense has thus been filed and neither is the contemnor present before the Court. Mr.Kumaresan cites the inclement weather as a reason for his non-appearance today.*

*3. We adjourn this matter to 18.12.2024 at 12 noon. The Contemnor shall be present in Court on that date in light of the statutory notice issued by the Bench on 13.11.2024.*

*4. Since learned AAG states that an affidavit of compliance of the directions under order dated 09.03.2023 has been filed and learned counsel for the petitioner has been served with a copy thereof, let the petitioner file a response to the same including objections, if any. A copy of the response/objection be served on the respondent prior to the next date of hearing.'*

2.Today, an affidavit has been filed by the contemnor tendering



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unconditional apology for his non-appearance.

WEB COPY 3. He also seeks the dispense of his appearance today for the reasons set out in paragraphs 5 and 6, extracted below:

*“5) I further submit that due to the Selection Committee Meeting to prepare Select Lists for the years 2018-2022 for appointment of SPS Officers to IPS of Tamil Nadu cadre will be held on 18.12.2024 at 11:30 A.M. at the Office of the Union Public Service Commission, New Delhi, in which my physical presence is needed I am unable to appear before this Hon'ble Court as directed. I therefore pray that my presence may be dispensed on 18.12.2024.*

*6) I humbly submit that I have great respect for this Hon'ble Court and at no point of time intended to disobey much less wilfully disobey the orders passed by this Hon'ble Court or any other Court. However, I would like to tender once again my unconditional apology to this Hon'ble Court in the event of this Hon'ble Court come to a conclusion that the deponent has wilfully disobeyed the orders passed by this Hon'ble Court and to humbly pray to purge the deponent from any further proceedings.'*

4. In addition, Mr.P.Kumaresan, learned Additional Advocate General also produces an unexecuted copy of a dispense petition dated 11.12.2024, prepared, but not pursued by the contemnor, before us. The petition listed today is dated 17.12.2024. The explanation tendered is that the earlier application dated 11.12.2024 was prepared and finalised but not pursued and filed.



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5.Considering the aforesaid reasons, we accept the plea for  
dispense of personal appearance.

6.Mr.C.Ravichandran, learned counsel, who appears for the  
petitioner in contempt petition would fully support the stand of the State  
and also submit that the directions under order dated 09.03.2023 have  
been complied with.

7.Recording the aforesaid, this contempt petition and the  
Sub.Appl.No.1343 of 2024 are closed. No costs.

**[A.S.M., J] [G.A.M., J]**  
**18.12.2024**

Index:Yes/No  
Speaking order  
Neutral Citation:Yes  
vs

To

Sri Shankar Jiwal, I.P.S.,  
The Director General of Police  
Office of Director General of Police,  
Kamarajar Salai, Chennai – 600 004.



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*Cont.P.No.537 of 2024*

**DR. ANITA SUMANTH,J.**  
**and**  
**G. ARUL MURUGAN.,J**

VS

**Cont.P.No.537 of 2024 and**  
**Sub.Appl.No.1343 of 2024**

**18.12.2024**