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Contempt Petition No.1882 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.02.2024

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THE HONOURABLE MS.JUSTICE R.N.MANJULA

Contempt Petition No.1882 of 2023
and Sub Application (OS) No.127 of 2024

1. D.Leo
2. L.Ravichandran

... Petitioners

Vs.

1. Mr.Jose Thangaiah,
The Deputy Commissioner of Police,
Pallikaranai Police Station,
Pallikaranai, Chennai - 600 100.

2. Mr.Govindaraj,
The Inspector of Police,
E-8, Kelambakkam Police Station,
Kelambakkam.

... Respondents

Contempt Petition is filed under Section 11 of the Contempt of Courts Act, 1972, to punish the Respondents for the wilful disobedience of the common order dated 15.11.2022 in W.P.No.17319 of 2021.

For Petitioners : Ms.S.Kanimozhi

For Respondents : Mr.R.Muniyapparaj,
Additional Public Prosecutor
assisted by
Mr.M.Sylvester John



ORDER

WEB COPY This Contempt Petition is filed to punish the Respondents for non-compliance of the orders issued by this Court on 15.11.2022 in W.P.No.17319 of 2021.

2. On an earlier occasion (i.e.) on 13.12.2023, this Court has passed the following orders:

"Today, when the matter is taken up, the learned Additional Public Prosecutor for the respondents submitted that on the basis of the materials submitted by the petitioner, a case has been registered in FIR No.434/2023 on the file of T-19, Kelambakkam Police Station and the matter is taken up for investigation. It is further submitted that proceedings under Section 107 Cr.P.C. has been filed before the Revenue Divisional Officer, Tambaram and an order has been passed.

*2. The grievance of the petitioner is that the direction of this Court was not scrupulously followed and the guidelines laid down by the Hon'ble Supreme Court in **Lalitha Kumari Vs. Government of Uttar Pradesh and others** reported in **2014 (2) SCC (1)** was not followed while making the enquiry. After repeated representations made during the contempt proceedings, the materials have been*



received from the petitioner and FIR has been registered now. However it is submitted by the learned counsel for the petitioner that during the course of investigation, the petitioner would need to submit some more materials and for investigation and the matter may be kept pending."

3. Today when the matter was taken up for hearing, Mr.R.Muniyapparaj, learned Additional Public Prosecutor submitted that as per the above order, dated 13.12.2023, investigation has been completed and FIR has been registered.

4. Now the petitioner has filed the Sub Application (OS) No.127 of 2024, seeking Police Protection and to direct the respondents to grant Police Protection to enter into his residence situate in No.2/2, Assisi Garden, Assisi Nagar, Puthupakkam Village, Vandalur Taluk, Chengalpattu District. However, the prayer raised in the Sub Application is completely out of scope of the contempt application. The petitioner has to approach appropriate forum for the said relief and not by way of sub application in the Contempt Petition.



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5. Since the order of this Court made in W.P.No.17319 of 2021,

dated 15.11.2022 has been complied with, the Contempt petition is closed.

Consequently, the Sub Application is also closed. No Costs.

12.02.2024

Index: Yes / No

Speaking order / Non-speaking order

Neutral Citation : Yes / No

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R.N.MANJULA ,J.

vum

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