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Cont.P.No.1869 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.07.2024

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Cont.P.No.1869 of 2024

S.Rajeswari

.. Petitioner

Vs.

Krishnan,
The Inspector of Police,
T-10, Thirumullaivoyal Police Station,
Tiruvallur High Road,
EVR Nagammai Nagar,
Cholambedu, Avadi,
Chennai – 600 109.

.. Respondent

Prayer: Contempt Petition filed under section 11 of the Contempt of Courts Act, 1971, to punish the respondent for the willful disobedience of the order of this Court dated 21.03.2024 in W.P.No.7381 of 2024.

For petitioner	:	Mr.V.Ramesh for Mr.R.Ashwanth
For Respondent	:	Mr.S.Balaji Government Advocate (Crl.Side)



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ORDER

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The Contempt Petition was filed alleging non-compliance of the directions issued by this Court in W.P.No.7381 of 2024 dated 21.03.2024.

2. When the matter came up for hearing on 12.07.2024, this Court passed the following order:

“Mr. Krishnan, the Inspector of Police, is present before this Court at the time of hearing.

2. Mr. S. Balaji, learned Government Advocate (Criminal side) takes notice on behalf of respondent. The learned Government Advocate submitted that the petitioner did not attend the enquiry and this statement made by the learned Government Advocate was refused by the learned counsel appearing on behalf of the petitioner.

3. The petitioner is directed to be present before the respondent on 17.07.2024 at 11.30 a.m. along with all the relevant documents. The respondent shall collect the statement of the petitioner and take a decision and report before this Court during the next date of hearing.

4. Post this case under the caption for reporting compliance on 26.07.2024 at 2.15 p.m.”



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3.The case was listed for hearing today. The learned Government Advocate (Crl.Side) submitted the report dated 18.07.2024 of the Inspector of Police, Thirumullaivoyal Police Station.

4.The learned Government Advocate (Crl.Side) submitted that the complaint given by the petitioner seeking for police protection was closed and the parties were directed to workout their remedy before the competent Civil Court.

5.The learned Government Advocate (Crl.Side) further submitted that as a subsequent development, the Tahsildar of the Avadi Corporation is now in the process of surveying the land and police protection has been granted to enable the Tahsildar to complete the survey.

6.The learned counsel for the petitioner submitted that the civil proceedings have already concluded and it went in favour of the vendor of the petitioner. Hence, it was contended that there is no question of going through one more round of civil litigation in this case.



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7.The learned counsel for the petitioner submitted that the survey was conducted today by the Tahsildar and police protection was also given. However, the petitioner was prevented from getting into the property which was purchased by them through the registered sale deed dated 23.12.2022 through Document No.17306/2022.

8.This Court has carefully considered the submissions made on either side and the materials available on record..

9.On going through the entire materials that were placed before this Court, it is seen that already the civil litigation has ended in the year 2019 itself and therefore, there is no question of once again going through the litigation process. The Tahsildar has already surveyed the property with police protection. This survey was conducted pursuant to the order passed by this Court in W.P.No.20740 of 2024 dated 24.07.2024. In view of the same, the petitioner as the owner of the property is always entitled to enjoy the subject property and the petitioner cannot be prevented by anyone. If any further disturbance is



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caused, the respondent police shall provide sufficient protection and take action against those persons who are attempting to interfere with the possession and enjoyment of the petitioner.

10.This Contempt Petition is disposed of with the above directions.

26.07.2024

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Index : Yes / No
Internet : Yes / No
Neutral Citation : Yes / No



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N.ANAND VENKATESH, J.

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