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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.10.2024

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Contempt Petition No.3074 of 2024
in WP.No.24416 of 2023

E.Ravichandran

.. Petitioner

vs.

1.Mr.Mathivanan
The Superintendent of Police
Sathuvachari, Vellore
Vellore District.

2.Mr.Gandeepan
The Inspector of Police
Vellore South Police Station
Vellore.

.. Respondents

Contempt Petition filed under Section 11 of the Contempt of Courts Act, to punish the respondents for willful disobedience in not complying with the order dated 18.8.2023 passed by this Court in WP.No.24416 of 2023

For Petitioner : Mr.M.R.Thangavel

For Respondents : Mr.V.J.Priyadarsana
Government Advocate (Crl.Side)

**ORDER**

The contempt petition was filed on the ground that the order passed by this Court in W.P.No.24416 of 2023 dated 18.08.2023, was not complied with.

2. When the matter was taken up for hearing, the affidavit of the Inspector of Police, Vellore, was filed and the relevant portions are extracted hereunder:

7.It is respectfully submit that from the enquiry it reveals that the petitioner had an extent of 3,888 Sq.ft of Vacand Land situated in R.W.No.4, M.W.No.27, South Vellore, Vellore Town, Vellore District that was originally purchased by petitioner mother E.Koteeswari Ammal by a registered sale deed dated 10.12.1957. When the complainant is going to construct a compound wall and a bathroom in the said property, at that time the counter petitioner make a quarrel with the petitioner and demolished the compound wall by the counter petitioner for which an FIR has been registered in Vellore South Police Station in Cr.No.164 of 2023, u/s.294(b), 323, 324, 427, 447, 506(ii) IPC against the counter petitioner. The investigation is completed in Cr.No.164 of 2023 and Charge Sheet has been filed before the learned Judicial Magistrate Court No.I, Vellore through e-filing and the same is yet to be taken on file.

8.It is respectfully submit that after conducted enquiry with both the petitioner and counter petitioner, the respondent police came to the know that already there been a civil dispute pending between both the parties and the same has been pending before the learned District Munsif Court, Vellore. Based on which, the respondent police instructed both the parties to approach the Civil Court.



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3.It is now brought to the notice of this Court that the Civil Suit is pending before the District Munsif Court, Vellore. In view of the same, the police cannot intervene at this stage. It is left open to the petitioner to file appropriate petition before the Civil Court and seek for police protection since the petitioner has approached the Civil Court seeking for the relief of injunction.

4.This contempt petition is accordingly, closed.

18.10.2024

Internet:Yes
Index: Yes/No
Speaking Order/Non-Speaking Order
KP

To

1.Mr.Mathivanan
The Superintendent of Police
Sathuvachari, Vellore
Vellore District.

2.Mr.Gandeepan
The Inspector of Police
Vellore South Police Station
Vellore.

N. ANAND VENKATESH, J.



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