



Cont.P.No.2476 of 2022

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.09.2024

CORAM :

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Contempt Petition No.2476 of 2022

A.S.Noorjahan

... Petitioner

Vs.

Hemavathy
The Inspector of Police,
Thirupathur Town Police Station,
Thirupathur, Thirupathur District.

...Respondent

Prayer : Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971, to punish the respondent for her willful and disobedience to comply with the order of this Court dated 15.02.2022 made in Crl.O.P.No.2917 of 2022.

For Petitioner : Mr.S.Arivazhagan,

For Respondent : Mr.V.Meganathan,
Government Advocate (Crl.Side)



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ORDER

The contempt petition has been filed seeking to punish the respondent for her willful disobedience of the order of this Court dated 15.02.2022 made in Crl.O.P.No.2917 of 2022.

Brief facts of the case:

2 The petitioner, who is a senior citizen, had filed Crl.O.P.No.2917 of 2022 seeking police protection to her and her property bearing Door No.91/10A, 3rd Street, Sam Nagar, Thirupathur. It is the case of the petitioner that she is a senior citizen. Her husband died on 11.05.2021. She had two sons and two daughters. Her younger son Ayub, who is a law graduate had grabbed her property and that she filed a complaint before the District Collector under the Senior Citizen Welfare and Maintenance Act, 2007. After conducting enquiry, the District Collector ordered to deliver possession of the above said property to her and the District Collector had also directed to initiate criminal prosecution under Section 24 of the said Act against the said Ayub. Against the order passed



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by the District Collector, the petitioner's younger son Ayub preferred a writ petition before this Court and this Court by an order dated 26.11.2024 had directed the Executive Magistrate to hand over the possession of the property to the petitioner and pursuant to which, the Tahsildar, Thirupathur had desealed the house and taken possession and delivered to the petitioner on 21.01.2022. Even after possession being taken and handed over to the petitioner, her younger son Ayub is continuously harassing the petitioner and her other children. Therefore the petitioner had sought for police protection. Since the police had not given protection, the petitioner had approached this Court in CrI.O.P.No.2917 of 2022 and this Court had directed the respondent to conduct enquiry and give protection to the petitioner. Alleging that the order has not been complied with, the present petition has been filed.

3 Earlier, when the matter was listed before this court on 16.08.2024, it was reported by the learned Government Advocate that the order of this Court has been complied with and the petitioner's possession was restored.



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WEB COPY 4 Learned Government Advocate (Crl.Side) for the respondent would contend that the person, who is attempting to grab the property is none other than the younger son of the petitioner. However, based on the complaint given by the petitioner, a case in Crime No.209/2022 has been registered. He would further submit that investigation in the above Crime Number has been completed and the respondents are taking steps to file final report before the Court. The learned Government Advocate (Crl.Side) would submit that the respondent police is giving protection to the petitioner by visiting her house once daily. In the event of the petitioner's son indulging in any untoward or illegal activities, suitable action will be taken against him and appropriate and suitable protection will be given to the petitioner.

5 The petitioner is present before this court through video conferencing. She mentioned that based on her complaint, a case has been registered against her son.



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WEB COPY 6 Recording the said submissions made by the learned Government Advocate (Crl.Side) appearing for the respondent/contemnor and finding that the order is complied with, the contempt petition is closed.

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Index : Yes/No
Speaking /Non-speaking order



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A.D.JAGADISH CHANDIRA, J.

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