



WEB COPY



Cont.P.No.2909 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.07.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Cont.P.No.2909 of 2023

C.R.Kumar

... Petitioner

Vs.

Pradeep

... Respondent

Prayer: Contempt Petition is filed under Section 11 of the Contempt Court Act, 1971, to punish the respondent herein for the wilful disobedience of the order of this Hon'ble Court in W.P.No.29726 of 2022 dated 10.11.2022.

For Petitioner : Mr.Arvind Subramanian
Senior Counsel
for M/s.V.Akshya Kamala

For Respondent : Mr.S.Udaya Kumar,
Government Advocate (Crl.Side)

: Mr.T.Mohan
Senior Counsel for R2
in W.P.No.29726 of 2022



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ORDER

Contempt Petition is filed alleging that the direction of this Court passed in WP.No.29726 of 2022 dated 10.11.2022 not been complied, but disobeyed.

2. Today, the learned Government Advocate (Crl.Side) appearing for the respondent police states that the direction of court has been complied with and there is no wilful disobedience in implementing the order of this Court.

3. The learned Counsel appearing for the contempt petitioner acknowledges the compliance of the direction of the Court.

4. The learned Senior Counsel representing the second respondent in the writ petition submits that without notice to the second respondent therein , order in W.P.No. 29726 of 2022 was passed on 10.11.2022 and for non compliance, the contempt petition been filed, since he must be impleaded as a respondent in the contempt petition.

5. This Court is of the view that if the second respondent is



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aggrieved by the order passed in W.P.No.29726 of 2022 for not being heard, he can agitate his cause before the appropriate forum and it is also been now brought to the notice of this Court that the petitioner has filed a re-call petition and the same is pending. That is an independent issue which should be decided by the Court while deciding the re-call petition. As far as the contempt petition is concerned, since the direction been complied with, nothing survives further. Hence, contempt petition is closed.

22.07.2024

Vv

Dr.G.JAYACHANDRAN,J.



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