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Cont.P.No.3077 of 2023

In the High Court of Judicature at Madras

Dated : 12.4.2024

Coram :

The Honourable Mr.Justice N.ANAND VENKATESH

Contempt Petition No.3077 of 2023

and WMP No.32048 of 2023

M.Gopal krishnan

...Petitioner

Vs

1. A.Masutha begum

The Inspector of police,
Perundurai police Station,
Erode District.

2. The District Revenue Officer,
Erode District, Erode.

[Suo motu impleaded as 2nd respondent
as per the order of this Court in Cont P
No.3077 of 2022 dated 09.02.2024]

...Respondents

PETITION under Section 11 of the Contempt of Courts Act, 1971 praying to
punish the respondents herein for wilful disobedience and contempt of this Court's
order dated 14.09.2023 made in W.P.No.27164 of 2023.

For Petitioner	:	Mr.P.Dinesh Kumar
For Respondents	:	Mr.V.Velusamy Additional Government Pleader



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ORDER

This Contempt petition has been filed for the wilful disobedience of the order passed by this Court in W.P.No.27164 of 2023 dated 14.09.2023.

2. When the matter was taken up for hearing, the learned Additional Government Pleader appearing on behalf of respondent police submitted a status report. The relevant portions are extracted hereunder :-

4. I respectfully submit that based on the order passed by this Hon'ble Court, the complaint preferred a fresh petition before the respondent police seeking a police protection to lay the "Tar Road in the property situated at S.No.457/1, Karumandichellipalayam Town Panchayat, Perundurai Taluk, Erode District. While so the police parties provided police protection on 05.11.2023 at the above mentioned property and while attempting to lay the "Tar Road" by the petitioner/ Tr.Gopalakrishnan in the presence of police, at that time, one Tr.Muthusamy who is the owner of the said land (i.e) S.No.457/1 stated that this land is his ancestors property and he is legal heir for the property. Further, he stated that the actual pathway is only 3 feet, whereas Tr.Gopalakrishnan has cited the pathway as 118 feet and obtained road contract for 118 feet, but the land originally belongs to him and created Law and Order issue and slept in front of the JCB Vehicle and he further stated that a civil case is pending before the Sub Court, Perundurai in A.S.No.9/21, the petitioner hiding the truth and obtained the Police Protection and it is against the Human Rights.



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5. I respectfully submit that in the mean time, on 09.11.2023, the counter petitioner namely Tr.T.C. Muthusamy filed a Writ Miscellaneous Petition before this Hon'ble High Court in W.M.P.No.32048 of 2023 seeking to recall the order passed in W.P.No.27146 of 2023, dated 14.09.2023 and the same is pending before this Hon'ble Court.

3. It is clear from the above that no further orders are required to be passed in the contempt petition. The learned counsel also submitted that the order has been complied with. The learned counsel, who appeared for the 6th respondent in the writ petition submitted that a separate writ petition has been filed by the 6th respondent in WP No.8495 of 2024. It goes without saying that it is left open to the 6th respondent in the writ petition to work out his remedy in accordance with law and the orders passed in this contempt petition will not have any bearing in WP No.8495 of 2024.

4. This Contempt petition is disposed of accordingly. Consequently, the connected miscellaneous petition is closed.

12.4.2024

Index : Yes (or) No

Neutral Citation : Yes (or) No

Speaking Order : Yes (or) No

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