



Cont. P(MD)No.75 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 08.08.2024

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Cont. P(MD)No.75 of 2024

in

W.P.(MD)No.5573 of 2023

Visuvasam

... Petitioner

Vs.

- 1.Karthikeyan
District Collector,
Tirunelveli District,
Tirunelveli.
- 2.Silambarasan,
Superintendent of Police,
Tirunelveli.
- 3.Arbith Jain
Sub Collector,
Cheranmahadevi,
Tirunelveli District.
- 4.Vijay Anand
Tahsildar,
Nanguneri,
Tirunelveli District.
- 5.Gopalakrishnan
Block Development Officer (Village Panchayat),
Kalakkadu,
Tirunelveli District.



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6.The Inspector of Police,
Kalakadu Police Station,
Tirunelveli District.
(R6 is suo motu impleaded
vide order dated 13.02.2024 by this Court)

... Respondents

Prayer: Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971, to punish the respondents for willful disobedience of the order dated 18.10.2023 in W.P.(MD)No.5573 of 2023.

For Petitioner : Mr.A.Mohan

For Respondents : Mr.K.Balasubramani
Special Government Pleader
for R1, R3, R4 & R5
: Mr.M.Vaikkam Karunanithi
Government Advocate (Crl.side)
for R2 & R6

ORDER

Heard both sides.

2. The petitioner filed W.P.(MD)No.5573 of 2023 and it was allowed. The petitioner's case is that burial should not take place in a non-notified place. In fact, such notification came only on 08.05.2024. In this case, burial had taken place on 23.11.2023. The petitioner had opposed the same. He came to be implicated in Crime No.543 of 2023.



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I made it clear that when the conduct of the defacto complainant was in breach of the direction give by the Hon'ble Full Bench, it was atrocious to implicate the petitioner in the criminal case under SC/ST Act, 1989. Pursuant to the direction given by this Court, final report has also been filed. It appears that the defacto complainant has not appeared. The learned PCR Court, Tirunelveli is directed to accept the final report filed by the investigation officer.

3. With this direction to the PCR Court, Tirunelveli, the contempt petition is closed.

08.08.2024

Index: Yes/No
Internet: Yes/No
rmi

***NOTE:Registry to mark a copy of this order to PCR Court,
Tirunelveli.***

To

- 1.District Collector,
Tirunelveli District,
Tirunelveli.
- 2.Superintendent of Police,
Tirunelveli.

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G.R.SWAMINATHAN, J.

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3.Sub Collector,
Cheranmahadevi,
Tirunelveli District.

4.Tahsildar,
Nanguneri,
Tirunelveli District.

5.Block Development Officer (Village Panchayat),
Kalakkadu,
Tirunelveli District.

6.The Inspector of Police,
Kalakadu Police Station,
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