



Cont P(MD) No.2451 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.11.2024

CORAM:

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

Cont P(MD) No.2451 of 2024

Sundar Singh

... Petitioner/Petitioner

Vs.

Mr.E.Sundaravathanam,
The Superintendent of Police,
Kanniyakumari District at Nagercoil.

... Contemnor/1st Respondent

PRAYER : Contempt Petition is filed under Section 11 of the Contempt of Court Act, 1970, to punish the contemnor/1st respondent for willfully and deliberately disobeying the order of this Court made in W.P.(MD).No.24761 of 2023, dated 13.10.2023.

For Petitioner :Mr.A.Balakrishnan

For Respondent :Mr.P.Kottai Chamy
Government Advocate (Crl. Side)

ORDER

This petition has been filed to punish the contemnor/1st respondent for willfully and deliberately disobeying the order of this Court made in W.P.



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WEB COPY (MD).No.24761 of 2023, dated 13.10.2023.

2.While disposing the writ petition in W.P.(MD).No.24761 of 2023, on 13.10.2023, this Court directed the first respondent namely the Superintendent of Police, Kanniyakumari District at Nagercoil, to dispose the permission letter, that was pending with him, which was submitted by the petitioner, within a period of fifteen days. It is also submitted that inspite of submissions of records, they were making trouble. Only for that purpose the writ petition was filed.

3.The learned Government Advocate (Crl. Side) would submit that the first respondent is not the authorised person to issue No Objection Certificate. The petitioner has to approach the Health Department to get the permission for to get permission. If it is so, the permission ought to have been disposed of by the first respondent directing the petitioner to approach concerned Department and get No Objection Certificate.

4.When the first respondent is not having authority to grant permission, he ought to have returned the petition directing the petitioner to approach concerned



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authority. But, he cannot keep the matter pending without passing any order. Let the permission petition given by the petitioner be disposed of by the first respondent within a period of ten days on its own merits and in accordance with law. If the petitioner aggrieved by the order to be passed by the first respondent, he can workout his remedy through appropriate proceedings.

5. With the above said directions, this contempt petition stands disposed of.

06.11.2024

Internet : Yes / No
Index : Yes / No

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To

- 1.Mr.E.Sundaravathanam,
The Superintendent of Police,
Kanniyakumari District at Nagercoil.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVA. J.

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