



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-07-2025

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THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

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CONT P NO. 379 of 2025

AND

SUB APPL NO. 382 OF 2025

M. Asirvatham,
Son of the late Mariyan, Indian Christian, aged 71 years, residing
at No. 1/564, ground floor, Kakkan Street, Injambakkam, Chennai
600 115 and now temporarily residing at No. 1/550, Kakkan
Street, Injambakkam, Chennai 600 115.

Petitioner(s)

Vs

1.A. Bharat
The Assistant Commissioner of Police, Neelankarai Circle,
Chennai 600 115.

2.R.Pravin Rajesh

The Inspector of Police,

J-8, Neelankarai Police Station,

Chennai - 600 115 Contemnor(s)

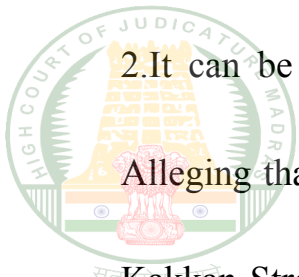
For Petitioner(s): Mr.D.Ashok Kumar

For Contemnor(s): Mr.S.Udaya Kumar,
Government Advocate (Criminal side)
Mr.R.Bhagatsingh

ORDER

This contempt petition is filed complaining wilfull disobedience of the order dated

22.09.2023 made in W.P.No.27707 of 2023.



2.It can be seen that the petitioner is a senior citizen. The fourth respondent is on.

Alleging that the petitioner is sent out of the premises bearing Door No.1/5, New No.1/564,

Kakkan Street, Cholamandalam Devi Nagar, Injambakkam Village, Chennai - 600 115, the

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above Writ Petition is filed to accommodate the petitioner in the said address and also to

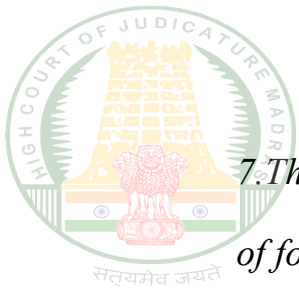
extend protection to the petitioner. After considering the case of the parties, the Writ Petition

is disposed of on the following terms:-

"4.The 5th respondent is now required not to register any document presented for registration, if the same is presented without the leave of the Court as regards property situated in door No.1/5, New No.1/564, Kakkan Street, Cholamandalam Devi Nagar, Injambakkam Village, Chennai 600 115, comprised in Survey No.127/2 of Injambakkam Village.

5.This Court now directs the 1st respondent to take immediate action on the representation given by the petitioner. If the representation made by the petitioner is just and valid, then the respondents 1 to 3 are required to take all necessary steps to put the petitioner back in his house. It is underscored, the R.D.O. is also required to hear the 4th respondent before he takes any decision as has been directed.

6.The direction given to the 5th respondent, Sub Registrar, Neelankarai S.R.O. will be in force only till such time the R.D.O. takes a final decision in this matter.



7. The entire exercise of the R.D.O. is required to be completed within a period of four (4) weeks from today."

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3. While restraining the 5th respondent not to register any further documents, this Court further directed the first respondent namely Revenue Divisional Officer to take immediate action on the representation given by the petitioner. The Court further directed that if the representation is just and valid, then put the petitioner back in his house. Pursuant to earlier order, a status report is filed where, after the enquiry it was placed before this Court that the petitioner could not be put back in the same house and it is stated that he has got other accommodations. But however, considering the nature of direction given by the previous order dated 23.06.2025, especially taking into account of the fact that as far as the said property which is claimed by the petitioner, in the first floor the petitioner's wife is in occupation. It consists of only one room and ground floor is in the occupation of the tenant. On the last hearing it was reported that the petitioner and his wife are not in good terms and it is impossible for both of them to jointly live together in the same room. Accordingly, the petitioner occupying the first floor is ruled out. It was submitted on behalf of the petitioner that the tenant is willing to vacate. Therefore, this Court directed the Inspector of Police,

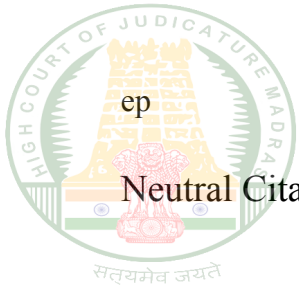


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Neelankarai Police Station to conduct an enquiry and if the tenant is willing to vacate the house, the petitioner can put back into the ground floor.

4. The learned Government Advocate (Criminal side) would submit that upon visit by the Inspector of Police, Neelankarai Police Station, the tenant is claiming that he is having an agreement upto 31.12.2025 and he is not willing to vacate the house. In view thereof, accommodating the petitioner in the said address now practically becomes impossible. I do not see any other wilful disobedience of the order by any of the respondents as the order of this Court is not a positive order directing the respondents to put the petitioner back to possession but was only a direction to consider the representation and if it is meritorious to put back the petitioner into possession. At the earlier point of time an enquiry has been conducted and it is found that the petitioner has got other accommodations and the respondents did not find merit in the representation of the petitioner.

5. In view thereof, I do not see any wilful disobedience of the order dated 22.09.2023 made in the W.P.No.27707 of 2023 and accordingly the contempt petition stands closed. However, the petitioner will be at liberty to seek for relief by way of appropriate proceedings in accordance with law. Consequently, connected Sub Application also stands closed.



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Neutral Citation : Yes / No

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D.BHARATHA CHAKRAVARTHY, J.

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To

1. Mr. A. Bharat and another
The Assistant Commissioner of Police,
Neelankarai Circle,
Chennai 600 115.

2. Mr. R.Pravin Rajesh,
The Inspector of Police,
J-8, Neelankarai Police Station,
Chennai 600 115.

3.The Public Prosecutor
Madras High Court.

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