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CONT P No. 3529 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-11-2025

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THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

CONT P No. 3529 of 2025

AND

SUB APPL NO. 1175 OF 2025

Centwin Housing Private Limited
Represented by its Director,
Mr.Sujai Anand. D
No.4, 10th Street, Nandanam Extension,
Nandanam, Chennai 600 035.

..Petitioner(s)

Vs

1. Mr.Abin Dinesh Modak, IPS
The Commissioner of Police,
Tambaram,
Office of the Commissioner of Police,
Tambaram,
Elcot Sez, Karapakkam,
Sholinganallur, Chennai 600 119.
2. Mr.Dilli Babu,
The Inspector of Police,
C3, Manimangalam Police Station,
SH 110, Pushpagiri, Manimangalam,
Tamil Nadu-602 301.

..Respondent(s)

SUB APPL No. 1175 of 2025

1. Irshad Ali and 2 others
S/o. S.Mowlana,
No.3, 5th Cross Street,
Adyar, Chennai - 600 020.



2. Safeway Developers (opc) Private Limited,
Represented by its Director, Mr. Irshad Ali No.1,
V-Block Lotus Colony 2nd Street,
Nandanam, Chennai - 600 035.

3. South Moon Developers Private Limited,
Represented by its Director, Mr. Irshad Ali
No. 1, V-Block Lotus Colony, 2nd Street,
Nandanam, Chennai - 600 035.

..Applicant(s)

Vs

1. Centwin Housing Private Limited and 2 others
Represented by its Director, Mr.Sujai Anand. D.
No.4, 10th Street, Nandanam Extension,
Nandanam, Chennai 600 035.
2. Abin Dinesh Modak,
The Commissioner of Police, Tambaram,
Office of the Commissioner of Police,
Tambaram,
Elcot Sez, Karapakkam,
Sholinganallur, Chennai 600 119.
3. Mr. DILLI BABU,
The Inspector of Police,
C3, Manimangalam Police Station,
Sh 110, Pushpagiri, Manimangalam,
Tamil Nadu-602 301.

..Respondent(s)

Prayer in Cont.P.No.3529 of 2025: Contempt petition filed under Section 11
of the Contempt of Court Act, 1971, to punish the respondent police officials



for willful and deliberate disobedience of the order dated 26.06.2025 in Writ

Petition (Crl.) No.165 of 2025 passed by this Hon'ble Court.

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Prayer in Sub.Application No.1175 of 2025: Implead petition filed under Section 151 CPC to Permit the petitioner to be impleaded as Respondents in CONT P. 3529 of 2025

For Petitioner(s): Mr.N.Balasubramanian
for Mr.J.Lenin

For Respondent(s): Mr.Ragavachari, Senior Counsel (For R1)
for M/s.P.Shiva
Mr.S.Vinoth Kumar (For R2)
Government Advocate (Crl.side)

ORDER

This contempt petition has been filed complaining willful disobedience of the Order passed by this Court in W.P.(Criminal).No.165 of 2025 dated 26.06.2025.

2. On perusal of the order, it can be seen that the writ petition was filed for writ of mandamus directing the police not to harass or coerce the petitioner, its directors or personnel in any manner and further restraining the respondents from interfering in the possession of the petitioner in respect of the land admeasuring 42.10 acres, comprised in Survey Nos.28/2, 36/1, 37/1A and



various other survey numbers situated at No.144, Vanchuvancherry Village, Kundathur Taluk, Kancheepuram District.

3. When the matter came up for hearing, the Court disposed of the writ petition and paragraphs 4 to 6 of the order passed in the writ petition is extracted here under for ready reference:-

"4. When the matter is taken up for hearing, the learned Government Advocate (Crl. Side) for the respondents, on written instructions, would submit upon complaint from one Irshad Ali, for enquiring into the said complaint, the petitioner and its Directors were summoned. After enquiry, it is already decided that the matter is civil in nature and the petition is closed with an advise to the parties to approach the competent Civil Court. The respondent Police will not in any manner interfere with the aspect of possession which is civil matter.

5. The same is recorded. Therefore, the apprehensions of the petitioner have been allayed by the submission made by the learned Government Advocate (Crl. Side) for the respondents.

6. Accordingly, recording that the petition has already been closed as civil in nature, this Writ Petition stands closed. There shall be no order as to costs."

4. Thereafter, this contempt petition is filed complaining willful disobedience of the order. When the contempt petition was being adjourned, a sub application is also filed by one Mr.Irshad Ali and two others stating that they are the owners of the property wanting to implead in the contempt petition.

5. Learned counsel for the contempt petitioner had taken time for filing the counter affidavit in the matter. It is also represented on behalf of both the sides that the matter is pending before the learned sole arbitrator dealing with the issue.



6. Be that as it may, an affidavit is filed by the Deputy Commissioner of Police, Tambaram Police District, Tambaram City Police. In paragraphs 7 and 8, they have elaborated the action taken by them, which is extracted here under for ready reference.

"7. It is submitted that while the matter stood so, on 24.10.2025 morning at 08.30 hrs, one passerby came to the police booth at Vanchuvanchery and informed the police that a group of people were gathered at the subject property and indulging in heated exchange of words and tense situation is prevailed at that place and asked them to check the issue. Having received the said information, the Inspector of Police informed the AC, Manimangalam Range and he alerted the Inspector of Police to rush there immediately as an issue is already going on there. Apprehending break out of law and order, the Inspector of Police and police party rushed to the spot at 09.00 hrs to avert untoward incidents and persuaded the members of both the parties to disburse at once. The staffs of Petitioner stated that a group of people entered the property with steel rods and tools to disturb their possession, and when the staff tried to stop them, the situation became tense. The AC advised them not to create any issues and maintain restraint and status quo at the subject property till the disposal of the petitions and the Arbitration Process. However, on the same day in the night at about 10.00 hrs, a group of people along with few lawyers again assembled at the subject property and switched off the electricity at the entrance. Having come to know about this development through the police booth personnel, the Patrol Vehicle and the Inspector of Police immediately rushed there and meanwhile, the AC, Manimangalam Range also reached the spot and averted a major issue by sending the group of people from near the vicinity of subject property and strictly warned them to maintain law and order at any cost.

8. It is further submitted that the contention of the petitioner that respondent police intervened in the affairs of the subject property by violating the court order and thus attracted the



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contempt of the court is emphatically far from truth and ipse dixit. It is also pertinent to note that the order in Writ Petition (Crl) No. 165 of 2025 was pronounced on 26.06.2025. Since that date, police never intervened with the petitioner's possession in the subject property. As the members of both the groups were gathered at the subject property which leads to a tense situation, police rushed there to avert a showdown between both the parties and thus avoided untoward incidents and the intention of the respondent police in going to the subject property to maintain law and order is in no way attracts the contempt of court proceedings. Further, police didn't subject anyone to enquiry and in fact advised them to peacefully disburse from that place and brought the situation to normalcy."

7. Therefore, I am satisfied that the police have not interfered in the possession in one way or other and they have addressed the law and order problem alone, which is their duty and thus, by observing that, the police shall continue to maintain the law and order and with reference to the possession, it is for both sides to present their case before the Hon'ble Arbitrator. Once a decision is taken with reference to the possession, the police thereafter will only give protection in enforcing the interim order in favour of the parties as the case may be.



8. With the said observations, the contempt petition stands closed. No costs. Consequently, connected sub application in Sub.Application No.1175 of 2025 is also closed.

03-11-2025

Index: No
Speaking order
Neutral Citation: No

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D.BHARATHA CHAKRAVARTHY J.

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