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Contempt Petition No.635 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.02.2026

CORAM:

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Contempt Petition No.635 of 2026

Sekar

... Petitioner

Vs.

Senthil Kumar

The Inspector of Police,
Theevattipatti Police Station,
Salem District.

... Respondent

PRAYER: Contempt Petition is filed under Section 11 of the Contempt of Courts Act r/w Article 215 of Constitution of India, to punish the respondent for having committed contempt of court by willfully disobeying the order of this Court dated 21.11.2025 in W.P.(Crl.) No.1272 of 2025.

For Petitioner : Mr.J.Sudhakaran

For Respondent : Mr.S.Santhosh
Government Advocate (Criminal Side)

ORDER

Alleging that the order passed by this Court in W.P.(Crl.) No.1272 of 2025, dated 21.11.2025, has not been complied with, the present Contempt Petition has been filed seeking to punish the respondent under the provisions of the Contempt of Courts Act for willful disobedience of the said order.

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2. This Court, while disposing of W.P.(Crl.)No.1272 of 2026 on 21.11.2025, passed the following order:-

“This writ petition is filed to direct the 2nd respondent to provide police protection to the petitioner based on the complaint dated 09.08.2025.

2. Learned counsel for the petitioner would submit that the petitioner’s father obtained a Civil Court decree in his favour on 14.07.2013 in O.S.No.50 of 2013 on the file of the District Munsif Cum Judicial Magistrate Court, Omalur. The patta for the said land was also transferred to the name of the petitioner.

3. While so, the respondents 3 to 6 are unnecessarily interfering with the possession of the property and the petitioner has given a complaint dated 09.08.2025 to the second respondent seeking police protection. However, it has not been considered by the second respondent and thereby, the present petition has been filed.

4. The learned Additional Advocate General would submit that since the dispute arisen between the parties appeared to be a civil dispute, the respondents have not proceeded further. He would further submit that an appropriate notice will be issued to the counter parties and an enquiry would be conducted and the representation of the petitioner will be closed within a period of four weeks from the date of receipt of a copy of this order.

5. Recording the undertaking given by the learned Additional Public Prosecutor, this writ petition is closed.”



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3. Learned Government Advocate (Criminal Side) submitted that pursuant to the order passed by this Court, an enquiry was conducted and upon finding that a civil suit in O.S.No.279 of 2019 is pending between the petitioner and the counter party before the District Munsif Court, Omalur and relying upon the reply given by the Tahsildar, Kadayampatti Taluk, stating that since the suit is pending, the application seeking survey has also been kept pending, the enquiry was closed. However, he submitted that if any request emanates from either the Tahsildar or the Surveyor seeking police protection, the respondent is ready to provide such protection. Therefore, the respondent has not committed any contempt.

4. The respondent is present before this Court and has filed a counter affidavit today. The relevant paragraphs are extracted hereunder:-

“7. I respectfully submit that, during the course of enquiry, 04.12.2025, the respondent police summoned both parties and directed them to appear for enquiry on 06.12.2025. Accordingly, on 06.12.2025, the petitioner as well as the counter-petitioners appeared before the respondent police for enquiry. Upon conducting the enquiry, the respondent police instructed the parties to remit the requisite challan amount to the Revenue Department and to take steps to appoint a surveyor for conducting survey of the subject land. The



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respondent police further assured that, at the time of survey, adequate police protection would be provided to facilitate the conduct of the survey.

8. I respectfully submit that, thereafter, the petitioner remitted the challan amount to the Revenue Department. However, the Tahsildar has expressed unwillingness to conduct the survey on the ground that I.A. No. 1 of 2025 of O.S.No.279 / 2019 in District Munsif Court, Omalur is pending before the concerned Civil Court. It is submitted that upon disposal of the said Civil Suit, the Tahsildar is prepared to conduct the survey as requested by the petitioner, and the respondent police have also undertaken to provide adequate police protection for the same.

9. I respectfully submit that, after completion of enquiry, the complainant was advised to approach the land survey department to conduct a survey of said property and during survey the police protection is provided as per court order with same bound over the C.S.R No.1447/ 2025 was closed on the same day.”

5. Having heard the counsel appearing on either side and upon perusal of the materials available on record, this Court is of the opinion that no contempt has been made out.



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WEB COPY 6. Accordingly, this Contempt Petition stands closed.

25.02.2026

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Neutral Citation: Yes/No

To

1. The Inspector of Police,
Theevattipatti Police Station,
Salem District.
2. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.

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