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Suo Motu Crl.Cont.P.No.788 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.07.2025

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH

AND

THE HONOURABLE MR. JUSTICE V. LAKSHMINARAYANAN

Suo Motu Crl.Cont.P.No.788 of 2025

High Court of Madras,
Chennai – 600 104.

... Petitioner

Vs.

S.Ramesh,
S/o.Thiru. R.Sandanasamy,
No.166, Kamatchi Amman Koil Street,
Puducherry – 605 001.

... Contemnor

Prayer: Suo Motu Criminal Contempt Proceedings initiated against the
contemnor herein as per the order of this Court dated 19.12.2024 made in
W.P.No.37616 of 2024.

For Petitioner : Mr.S.Arjun Suresh

For Contemnor : Mr.S.Ramesh (Party-in-person)



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ORDER

(Order of the Court was made by *M.S.RAMESH, J.*)

In an order passed in W.P.No.37616 of 2024 dated 19.12.2024, a Co-ordinate Bench of this Court, comprising of the Hon'ble Mr.Justice S.S.Sundar (as he then was) and the Hon'ble Mr.Justice M.Sudheer Kumar, were of the view that the petitioner/contemnor herein had levelled allegations in the affidavit filed in support of W.P.No.37616 of 2024, lowering the reputation and scandalizing the Court and when they had expressed the same to the petitioner/contemnor herein, he sought for an adjournment. Therefore, finding no rationale behind the reason for asking adjournment, the Co-ordinate Bench had initiated *suo motu* contempt proceedings.

2. We have perused the entire materials on record, including the decision of the Hon'ble Co-ordinate Bench dated 19.12.2024.

3. The cause of action for initiating this *Suo Motu* Contempt is due to the averments made by the respondent in his affidavit dated 07.12.2022 filed in support of the Writ Petition in W.P.No.37616 of 2024, in which the



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Co-ordinate Bench was of the view that some averments therein has scandalized and lowered the authority of this Court.

4. A perusal of the respondent's affidavit dated 07.12.2022, reveals his grievances to be that he was not given an opportunity to present his earlier case in W.P.No.17147 of 2022 before the then Hon'ble First Bench of this Court. His grievance has been averred in his affidavit stating that *“the Honourable Chief Justice, High Court of Madras without reading my W.P. Affidavits and forced me to withdraw my case. Because the Higher Officials of the High Court of Madras are involved in my W.P. case of serious allegations. Therefore I had been forced by the Honourable High Court of Madras to withdraw my W.P.17147 of 2022 and W.M.P.16446 of 2022 case which snatched my fundamental rights on 05.07.2022 and also gave a very big injustice to me and my entire family members with extreme harassment of cruel tortures by grabbed my high-value house living property and pushed us with household materials to the road on 06.07.2022. This is against Article 226 of the Constitution of India and democracy, Article 21 and the Honourable Prime Minister of India's speech.” (sic)*

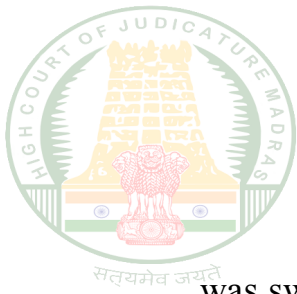


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5. However, when the aforesaid averments are read, together with the other averments made in the said affidavit, the grievance appears to be that while the respondent was presenting his case in W.P.No.17147 of 2022 before the then Hon'ble First Bench, two advocates who were standing beside him, had forced him to withdraw his case stating that if the case is dismissed and not withdrawn, the Tahsildar will take possession of his house and the family members will be stranded on the street. Apparently, when the respondent had expressed his intention to withdraw his case, there was no necessity of the Court to look into all the averments in the affidavit, after it has decided to accept his request for withdrawing the case.

6. To our understanding, the respondent herein, being a party-in-person, had not phrased his grievance in a proper manner and therefore, we cannot infer that these averments were made in order to scandalise or lower the authority of this Court.

7. This apart, we have also taken into consideration that this affidavit



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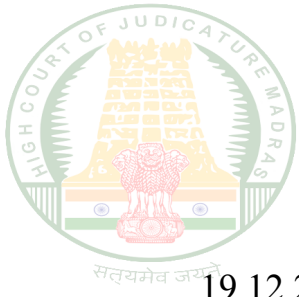
was sworn in on 07.12.2022 and Section 20 of the Contempt of Courts Act may stand as a bar for initiation of contempt proceedings in view of the limitation of one year prescribed therein.

8. For ready reference, Section 20 of the Contempt of Courts Act, is extracted hereunder:-

“20. Limitation for actions for contempt. No court shall initiate any proceedings for contempt, either on its own motion or otherwise, after the expiry of a period of one year from the date on which the contempt is alleged to have been committed.”

9. The aforesaid provision for limitation, also includes suo motu criminal contempt proceedings. The averments made in the respondent's affidavit dated 07.12.2022, even if assumed to be scandalizing or lowering the authority of the Court, cannot be construed to be a continuing wrong for initiation of contempt proceedings, after the prescribed period of one year.

10. Since a reference has been made by the Co-ordinate Bench on



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19.12.2024 only, which is after the period of one year from the date of affidavit i.e. 07.12.2022, the suo motu contempt proceedings may be barred by limitation. On this ground also, we refrain from entertaining any further proceedings in this petition.

11. Accordingly, the Sua Motu Criminal Contempt Petition stands closed.

[M.S.R, J.]

[V.L.N, J.]

07.07.2025

Index: Yes/No

Speaking order/Non-speaking order

Internet: Yes/No

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