

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.03.2021

CORAM :

The Hon'ble Mr.SANJIB BANERJEE, THE CHIEF JUSTICE

AND

The Hon'ble Mr.JUSTICE SENTHILKUMAR RAMAMOORTHY

C.M.P.No.5043 of 2021
and W.A.No. SR 7075 of 2021

P.Bagyalakshmi

.. Petitioner

-vs-

1.I.D.P.L.Employees Union,
rep. by its General Secretary,
No.5 & 6, Shopping Centre,
I.D.P.L.Colony, Nandambakkam,
Chennai 600 009.

2.The Management of Indian Drugs and
Pharmaceuticals Limited, Rep. by
its Deputy Personnel Manager,
Corporate Office, Gurgaon,
Haryana State.

3.The General Manager,
I.D.P.L. (Tamil Nadu) Limited,
Nandambakkam, Chennai 600 009.

4.The Commissioner of Police,
Chennai.

(R-4 suo motu impleaded vide order
dt.3.12.2020 made in WP.39270/2003)

.. Respondents

C.M.P.No.5043 of 2021 filed under Section 151 CPC to grant leave to prefer Writ Appeal as aggrieved person of the order dated 21.12.2020 in W.P.No.39270 of 2003.

For Petitioner : Mrs.P.Bagyalakshmi
C/V filed by Mr.s.Sivaraman

ORDER

(Made by The Hon'ble Chief Justice)

The petitioner seeks to prefer an appeal against an order dated December 21, 2020.

2. The petitioner is a practising advocate in this Court. It appears from the order sought to be impugned that there is an adverse remark against the petitioner upon the Court perceiving that the petitioner may have abused the process of Court. The Single Bench also expressed its inclination to take up suo motu contempt proceedings against the petitioner herein. For reasons which cannot be discerned immediately, the Registry was directed to place the matter before the Chief Justice for getting appropriate orders. It is

always open to a Court to institute suo motu contempt proceedings and no permission of the Chief Justice is required in the exercise of what is essentially a judicial function.

3. The relevant order of December 21, 2020 does not prejudicially affect the present petitioner except in a remark. Since a mere remark, even adverse, does not give rise to a right of appeal unless there is any other prejudice caused to the would-be appellant, the prayer for leave is declined.

4. At any rate, if the Single Bench were to initiate suo motu contempt proceedings, due notice would be received by the petitioner and the petitioner would have an opportunity to explain her position. The mere inclination to institute suo motu contempt proceedings or even the initiation of suo motu contempt proceedings would not be appellable.

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Accordingly, the petition for leave to appeal, C.M.P.No.5043 of 2021, is dismissed. Consequently, W.A.No. SR 7075 of 2021 is rejected. There will be no order as to costs.

(S.B., CJ.) (S.K.R., J.)
31.03.2021

Index : Yes/No

sra

To

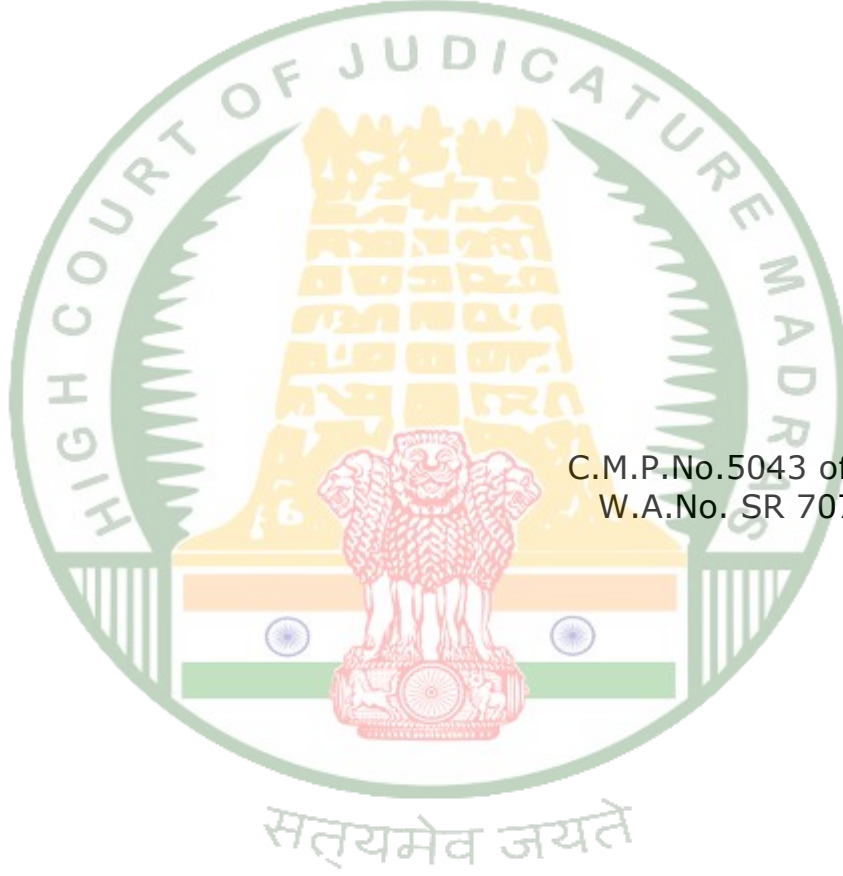
- 1.The Deputy Personnel Manager,
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Pharmaceuticals Limited,
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C.M.P.No.5043 of 2021 and
W.A.No.SR 7075 of 2021

The Hon'ble Chief Justice
and
Senthilkumar Ramamoorthy, J.

(sra)



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W.A.No. SR 7075 of 2021

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