



Suo Motu Cont. Petn. No.121 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

RESERVED ON: 21.10.2021

DELIVERED ON: 27.10.2021

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

AND

THE HONOURABLE Mrs.JUSTICE S.SRIMATHY

Suo Motu Contempt Petition No.121 of 2020

High Court of Madras

Chennai 600 104

.. Petitioner

Vs.

K.Alfred

S/o.S.K.Dharmaraj

New No.34/2, Old No.109/2, Best Apartment

East Vanniar Street, K.K.Nagar West,

Chennai-78

.. Respondent

Suo Motu contempt proceedings initiated as per the order dated 23.10.2019 passed by this Court in CrI.O.P.No.SR 44551 of 2019 in R.O.C.No.559/2020/OS.

For Petitioner : Mr.V.Vijay Shankar

For Respondent : Mr.K.Alfred
Party-in-person

ORDER

S.SRIMATHY, J.

The foundational facts that gave rise to the present *Suo Motu* contempt proceedings against K.Alfred, have been set out in the order dated



14.09.2021, which are as under :

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“Alfred, party-in-person, filed a petition in CrI.O.P.No.SR 44551 of 2019 in CrI.O.P.No.25625 of 2013 for certain reliefs. On 13.09.2019, the Registry returned the petition with the following endorsement :

‘1st prayer in the present petition was already granted by this Court in CrI.O.P.No.25625 of 2013, dated 08.10.2013 and as far as the 2nd prayer is concerned, the petitioner may be moved to appropriate forum.’

2. He re-submitted the petition along with a letter dated 04.10.2019, containing the following averments :

‘The petitioner filed a petition for direction before the Madras High Court on 10.09.2019 in CrI.O.P.(SR)No.44551 of 2019. The Assistant Registrar (Criminal) colluded with the useless Judges Mr.Justice P.N.Prakash and the “L” Board Judge Mr.Justice M.S.Ramesh, acted as a Judge and returned the petition wantonly.

Therefore I request the Chief Justice of the Madras High Court to take necessary action against the AE (CrI.), AR (CrI.) and direct the Registry to number the petition. In the meantime anything happens to me, the Madras High Court Registry and the above mentioned Judges will be held responsible.’

3. When the re-submitted petition in CrI.O.P.No.SR 44551 of 2019 was listed on the judicial side before the brother Justice A.D.Jagadish Chandira, the learned Judge went through the papers and issued the following directions on 11.11.2019 :

‘6. It is to be noted that on an earlier occasion, the petitioner/party in person, while re-submitting the papers in CrI.O.P.No.SR 43098 of 2019, had written a similar letter dated 13.09.2019 and this Court, by order dated 01.10.2019, had referred the matter to be placed before the concerned portfolio Division Bench dealing with Criminal Contempt. While an earlier reference has been made and pending, the petitioner/party in person has sent the present letter dated 04.10.2019 while re-submitting the papers in CrI.O.P.No.SR 44551 of 2019. This Court is of the opinion that the act of



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Thiru.K.Alfred, petitioner/party in person, in writing the letter dated 04.10.2019, while re-submitting the papers in Crl.O.P.No.SR 44551 of 2019, would amount to “Criminal Contempt of Court” and thereby, the Registry is directed to place the matter before My Lord, the Honourable Chief Justice, for obtaining orders to post it before the Honourable Division Bench of this Court, which has been assigned the portfolio to deal with the matters relating to Criminal Contempt.’

4. When the matter was placed before the Hon'ble Chief Justice, it was directed to be placed before the Division Bench as per roster and accordingly, the same is now before us.

5. Since the allegation in the letter dated 04.10.2019 was against one of us (PNPJ), we initially thought of recusing ourselves, but, we felt that such recusal would only embolden disgruntled litigants to engage themselves in forum shopping by simply throwing mud at the Judge.

6. On 23.02.2021, Alfred appeared before us and we furnished him a copy of his letter dated 04.10.2019 addressed to the Hon'ble Chief Justice and also a copy of the order dated 11.11.2019 passed by the brother Justice A.D.Jagadish Chandira. We also offered him free legal assistance from the Tamil Nadu Legal Services Authority, for which, Alfred stated that he does not require any legal assistance and that he himself would defend his case. The case was adjourned to 16.03.2021, 20.04.2021, 08.06.2021 and 03.08.2021.

7. Since the aforesaid allegations are scandalous and derogatory, Alfred, party-in-person, is charged as under :

“That, you, Alfred, party-in-person, for making the aforesaid allegations in your letter dated 04.10.2019 addressed to the Chief Justice, are charged under Section 2(c)(i) of the Contempt of Courts Act, 1971, which is punishable under Section 12, *ibid*.”

8. When questioned by us, he initially started ranting and by raising his voice, started speaking irrelevantly accusing us. He also stated that he once told a Supreme Court Judge that the Supreme Court should be closed. He even insinuated one of us (PNPJ), by making uncharitable allegations in connection with an old case in



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Crl.O.P.No.22907 of 2016 which was dismissed on 24.10.2016. However, he later pleaded “not guilty” to the charges. Thereafter, he stated that he wants to go to the Supreme Court and get appropriate orders against the Madras High Court. He also stated that he will not file any counter to the charges, until orders are obtained from the Supreme Court.

9. However, we are of the view that a fair opportunity should be given to him and he should be heard before final orders are passed.

Hence, adjourned to 21.10.2021.”

2. On 21.10.2021, Alfred appeared before us and did not file any affidavit or counter, for the aforesaid charges and instead, he started haranguing in the Court and berating the Judges of this Court. He referred to the Judges by their names and made disparaging remarks against everyone, including one of us (PNPJ). He did not spare the Advocates and staff members in his threatening discourse. He said that Judges, Advocates and staff members should write the NEET exam. We displayed utmost patience and forbearance and asked him about his family details, for which, he stated that he is separated from his wife and that his children are also living away from him. He told us that he has filed around 130 cases in various Courts, including the Supreme Court. It appears that he was a driver in the Metropolitan Transport Corporation and was dismissed from service, sometime in the year 1986, after which, he seems to have lost his mental balance.



3. This is evident from the fact that he sent a representation dated 16.08.2017 to Mr.Donald Trump, the then President of the U.S.A., Ms.Theresa May, the then Prime Minister of the U.K., Mr.Emmanuel Macron, the then President of France and Mr.Malcolm Trumbull, the then Prime Minister of Australia, complaining to them that India should not be given a permanent seat in the United Nations Security Council and that Indian Judges should not be allowed to sit in the International Court of Justice.

4. After having addressed such a representation, he filed a petition in Crl.O.P.No.22907 of 2016 under Section 482 Cr.P.C., for police protection alleging that there is a conspiracy to eliminate him. It is seen that during the hearing of another case in this Court viz., Crl.O.P.No.25286 of 2014 and Crl.M.P.No.6558 of 2016, Alfred had insinuated and threatened the Court, for which, he was sentenced to 15 days imprisonment, by order dated 10.11.2017. This has not had any deterrent effect on him and has only aggravated his aggressive behavior. In our opinion, he seems to be suffering from some mental illness, for which, he requires treatment and not punishment, for contempt of Court.

5. Therefore, we direct the Inspector of Police, R-7 K.K.Nagar Police Station, Chennai-78, to produce Alfred in the Institute of Mental Health, Kilpauk, Chennai-10, for assessment and treatment for his mental illness. This



order may be treated by the Director, Institute of Mental Health, Kilpauk, as a Reception Order under the Mental Healthcare Act, 2017. Mr. Alfred is causing trouble to the staff members in the Registry and hence, the Registrar (Administration) is directed not to permit him free access into the Registry and whatever petition or case he wants to file, he should be directed to present the papers online and the Registry shall number the case, only after placing the matter along with a copy of this order before the subject Portfolio Judge concerned.

With the above direction, this *Suo Motu* Contempt Petition is closed.

SD/-

ASSISTANT REGISTRAR(COMM.CASES)

gya

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

from 25th day of September 2008 the Registry is issuing Certified copies of the Orders/Judgments/Decrees in this format.

GS/16/11/2021

To

1.The Registrar (Administration)
High Court of Madras

2.The Director
Institute of Mental Health
Kilpauk, Chennai-10



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3.The Inspector of Police
R-7 K.K.Nagar Police Station
Chennai

Copy to:

The Section Officer,
Legal Cell,
High Court, Madras