



W.P. No.27099 of 2012

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 23.02.2023

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P. No.27099 of 2012 and
MP.Nos.1 & 2 of 2012, 1, 4 & 6 of 2013

Sri Aurobindo Ashram Trust
Rep. by its Managing Trustee
Manoj Das Gupta
Sri Aurobindo Ashram Trust
Rue de la Marine
Pondicherry-605 001.

... Petitioner

Vs

- 1.The District Collector,
Revenue Complex,
Saram, Pondicherry.
- 2.The Deputy Collector (Revenue),
North cum Sub Divisional Magistrate (North),
Revenue Complex, Saram,
Pondicherry.
- 3.Deputy Tahsildar,
Office of the Deputy Collector (Revenue),
North cum Sub Divisional Magistrate (North),
Revenue Complex, Saram,
Pondicherry.
- 4.Dayanidhi Patel
- 5.Uday Chavda
- 6.Shanti Mishra
- 7.Abhipsa Nagda



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- 8.Rupa Nagarajan
9.Medha Gunay
10.Chhanda Mazumdar
11.Glory Pal
12.Mira Gupta
13.Gayatri Mahaptra
14.Prof.Manoj Das
15.Anup Kishore Das

(R4 to R15 impleaded as per order dated 27.03.2013
by this Court in MP.2 & 3 of 2013 in WP.No.27099 of 2012)

16.Vishnu Lalit Singh

... Respondents

(R16 impleaded as per order dated 14.8.2013
by this Court in MP.5 of 2013 in WP.No.27099 of 2012)

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to Writ of Certiorarified Mandamus, calling for the records of the Second Respondent herein culminating in the impugned notice bearing No.234/DCR(N)/PGR Cell/2012 dated 1.10.2012, quash the same and forbear the Respondents from conducting any enquiry of the nature indicated in the notice bearing No.234/DCR(N)/PGR Cell/2012 dated 1.10.2012..

For Petitioner : Mr.C.A.Diwakar

For Respondents : Dr.B.Ramaswamy (R1 to R3)
Additional Govt. Pleader (Pondicherry)

Mr.Veerapandian (for R7 to R15)
for Mr.Dharmakkan

No Appearance – (for R4 & R16)

R5 & R6 - No more



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ORDER

Sri Aurobindo Ashram Trust (in short 'petitioner'/'Ashram'/Trust') was established under a Deed of Declaration of Trust dated 01.05.1955. Though the Trust was originally formed including the word '*religious*' therein, an instrument of clarification and rectification was made on 10.07.1967 between Madam Mira Alfassa, known as the Mother, being the permanent President of the Trust and the other Trustees at that time, deleting the word '*religious*' therefrom. The instrument clarified that Sri Aurobindo had made it clear that it was never his purpose '*to propagate any religion, new or old*'.

2. Hence, the instrument clarified that Sri Aurobindo Ashram Trust was not a religious institution, has never followed any religious practice, creed, rite or rule nor imparted any religious training or education. With the deletion of the word '*religious*' from the Deed of Declaration of Trust dated 01.05.1955, in conformity with the real intention of the settler, the original deed stood amended from its inception.

3. The present challenge by the Ashram is by way of seeking a writ of certiorarified mandamus calling for the records of the Deputy Collector



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(Revenue)/R2 dated 01.10.2012 and a direction to the respondents forbearing them from conducting enquiry of the nature indicated in the impugned notice.

4. The Writ Petition is of the year 2012 and many events are seen to have transpired in the interregnum. The genesis of the proceedings leading to the issuance of the impugned notice is, among other things, a book entitled 'The lives of Sri Aurobindo' (in short 'Book') authored by Peter Heehs, who was an inmate of the Ashram. There have been conflicting views in regard to the book and while one section of the reading public has lauded the book as being a honest portrayal of the life of Sri Aurobindo, the book has come in for serious criticism by some others, who did not agree.

5. The Hon'ble Supreme Court in Civil Appeal No.12 of 2016, decided on 05.01.2016 (*Sri Aurobindo Ashram Trust V. R.Ramanathan*) is in relation to O.S.No.15 of 2010, subsequently renumbered as O.S. No.15/2011 before the District Judge, Pondicherry under the provisions of Section 92 of the Civil Procedure Code. The averments in the plaint principally pertained to the Book and the fall out between the author and the Ashram and several factions which aligned with one or the other.

6. The Hon'ble Supreme Court after having traced the trajectory of litigation including the judgment in the Original Suit and the Civil Revision



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Petition in CRP (PD) No.4357 of 2012 that came to be dismissed by judgment and order dated 02.04.2013 by this Court, decided the challenge to the aforesaid judgment in favour of the appellants, i.e., Shri Aurobindo Ashram Trust. The judgment of the Hon'ble Supreme Court as relevant to this case is extracted below:

29. The sum and substance of the grievance of the respondents is really two-fold: firstly, the appellants failed to take any positive action to prohibit the availability of the objectionable book or dissociate themselves from the objectionable book; secondly, instead of taking some coercive action against Peter Heehs (such as removing him from the Ashram) the appellants assisted him in getting a visa for his continued stay in India by standing guarantee for him.

30. In our opinion, the second grievance would arise only if there is substance in the first grievance, namely, that the appellants failed to take proactive measures to have the objectionable book proscribed and that they failed to dissociate themselves from the contents of the book. This really begs the question whether the objectionable book ought at all to be proscribed or its sale prohibited. As we have seen above, the matter is very much alive before the Orissa High Court and it is for that Court to take a final call on the legality or otherwise of the action taken by the concerned authorities in the State in prohibiting the availability of the objectionable book. Until that decision is taken by the High Court, it would be premature to hold that the book is objectionable enough as not to be made available to readers.

31. In Swami Paramatmanand Saraswati it was held by this Court (relying upon several earlier decisions) that it is only the allegations made in the plaint that ought to be looked into in the first instance to determine whether the suit filed lies within the ambit of Section 92 of the CPC. It was also held that if the allegations in the plaint indicate that the suit has been filed to remedy the infringement of a private right or to vindicate a private right, then the suit would not fall within



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the ambit of Section 92 of the CPC. Finally, it was also held that in deciding whether the suit falls within the ambit of Section 92 of the CPC, the Court must consider the purpose for which the suit was filed. This view was reiterated in Vidyodaya Trust.

32. Considering the purpose of the suit filed by the respondents, it is quite clear that it was to highlight the failure of the appellants to take action against the availability of the objectionable book and against the author. As we have noted above, the issue whether the book is objectionable or not, whether it deserves to be proscribed or not, whether it violates the provisions of Section 153-A or Section 295-A of the Indian Penal Code has yet to be determined by the Orissa High Court. Until that determination is made, it would be premature to expect the appellants to take any precipitate action in the matter against the author.

33. The best that the appellants could have done under the circumstances was to make it clear whether they have anything to do with the objectionable book or not. The High Court has noted quite explicitly that the appellants have not sponsored the book nor was it published under the aegis of the Aurobindo Ashram. The appellants have also, it may be recalled, expressed displeasure with the contents of the objectionable book through the communication of 11th November, 2008. This being the position, we are of the opinion that the appellants have done what could reasonably be expected of them in relation to the objectionable book, pending a determination by the Orissa High Court.

34. The High Court has effectively faulted the appellants for not making the first strike to secure a ban on the objectionable book. This is really a question of the degree of reaction to the objectionable book on which we would not like to comment. The appellants could have expressed their displeasure over the contents of the objectionable book, or dissociated themselves from the objectionable book or even taken proactive steps to have the objectionable book banned or proscribed. That the appellants chose only to express their displeasure may be construed as a mild reaction (as compared to outright condemnation of the objectionable book), particularly since the appellants had nothing to do with its publication. But the question is whether the mild reaction is perverse or could in any way be held to



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be a breach of trust or an absence of effective administration of the Trust warranting the removal of the trustees. We do not think so. Failure to take steps to ban a book that is critical of the philosophical and spiritual guru of a Trust would not fall within the compass of administration of the Trust. It might be an omission of the exercise of proper discretion on the part of the trustees, but certainly not an omission touching upon the administration of the Trust. We are not in agreement with the High Court that the failure of the appellants to take the initiative in banning the objectionable book gives rise to a cause of action for the removal of the trustees of the Trust and settling a scheme for its administration. The trustees of a trust are entitled to a wide discretion in the administration of a trust. A disagreement with the exercise of the discretion (however passionate the disagreement might be) does not necessarily lead to a conclusion of maladministration, unless the exercise of discretion is perverse. In our opinion, the High Court ought to have allowed the application filed by the appellants for the revocation of leave granted to the respondents to initiate proceedings under Section 92 of the CPC, in the facts of this case.

35. We were invited to express a view on the constitutional freedom of speech and expression guaranteed by Article 19 (1) (a) of the Constitution. It is not at all necessary for us to do so. The Orissa High Court might be called upon to do so, depending on the views of the contesting parties, one of whom we were told, is the author of the objectionable book. We express no opinion on the issue and leave the matter at that.

36. This being our conclusion with regard to the first grievance of the respondents, their second grievance is rather premature. It would arise only if and when appropriate directions are issued by the Orissa High Court in the pending litigation.

Conclusion

37. We find merit in the appeal and accordingly set aside the impugned judgment and order of the High Court and allow the application filed by the appellants for revocation of leave. The parties are left to bear their own costs and once again consider an amicable settlement of their dispute.



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7. The author, in deference to public opinion and in the interests of maintaining law and order, has been asked by the Trustees to stay away from the Archives Department, where he stated to have been rendering service since 1970. Incidentally, the book is a private publication and the petitioner Trust maintains its distance from the same.

8. The cleavage of opinion as regards the contents of the book are stated to have turned some of the inmates against the Ashram/Trust and an inmate by name Vishnu Lalit along with others, had been vocal about his dissent. The Trust had issued notices calling for explanations for their activities which had also been challenged in Suits filed by him and others.

9. For completion of the narration in this Writ Petition, reference may be made, at this juncture, to Annexure I to this order which reproduces the tabulation of litigation initiated over the years and the result of such litigation, as well as of litigation pending as on date.

10. Public demonstrations and Dharnas were initiated by R16 along with others including political elements in Pondicherry. These dissents appear to be the reason for memorandum dated 05.09.2012 received from R2 calling upon the



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petitioner to appear for enquiry on 07.09.2012 with various documents. The petitioner appeared and also submitted a written reply.

11. R2 thereafter proceeded to affix copies of notices on the Notice Board of the petitioner Trust including on the Samadhi of the Mother putting the inmates and the visiting public to notice about the proceedings pending at that time. The petitioner had asked the authorities desist from that the affixture of the notices, as the premises were open to the devotees and general public as well as for the reason that the noticee was co-operating in full in the proceedings.

12. This was followed by the impugned letter informing the petitioner that their request to take down the notices affixed has been rejected. Not content with that, a fresh notice dated 01.10.2012 was proposed to be affixed by R3. This has caused the petitioner to rush to Court challenging the impugned notice on various grounds.

13. Pending Writ Petition, on 30.08.2013, Justice P.R.Raman, Former Judge of the Kerala High court was appointed as Enquiry Officer to conduct enquiry into the allegations made by some of the inmates with the assistance of Ms.Sathya Sri Priya, Advocate. He withdrew from the assignment on 11.10.2013 and Justice T.L.Viswanatha Iyer, Former Judge of the Kerala High Court was appointed to continue the enquiry.



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14. An interim report was submitted on 09.12.2013 by Justice T.L.Viswanatha Iyer seeking some time to complete the enquiry. Inter alia, he points out that the extension sought was on account of the failure of several of the complainants furnishing supporting documents along with their complaints as per the Rules framed by the Enquiry Officer. Unfortunately, Justice T.L.Viswanatha Iyer expired in January, 2014 and with his demise, the enquiry ordered on 30.08.2013 came to a halt.

15. While ordering enquiry on 30.08.2013, the Court considered the request of the Ashram for formation of a panel consisting of at least one lady Judge as there are many cases of sexual crimes against women and children. Alternatively, they sought for a lady Judge or Advocate to assist Justice P.R.Raman and in the interim, for the appointment of a Government Administrator for the Ashram pending enquiry to enable the Enquiry Officer to hold a free and fair enquiry and prevent intimidation of inmates.

16. The requests, barring the appointment of a lady Advocate to assist the Hon'ble Enquiry Judge were specifically rejected by the Court, and order dated 30.08.2013 reads as follows:

This writ petition at the instance of Sri Aurobindo Ashram Trust, Pondicherry, challenges the order initiating enquiry into the allegations made by some of the Ashramites, Shri Ashok Anand,



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M.L.A., Shri Vishnu Lalit and others and the consequential notice dated 1 October 2012 inviting the interested Ashramites and others to approach the Deputy Collector (Revenue), Pondicherry in connection with the enquiry.

2. The petitioner is primarily aggrieved by the action taken by the Government of Pondicherry, nominating the Collector, Pondicherry to (hold enquiry into the affairs of the Ashram pursuant to the complaints made by some of the Ashramites and a Local Legislator and the alleged steps taken by the Deputy Collector (Revenue), Pondicherry to flare up the issue.

3. Sri Aurobindo Ashram Trust was established by the Mother under a Trust Deed executed in 1955 with the primary objective of providing an environment conducive for the practice of integral yoga as envisaged by Sri Aurobindo and pursuit of spiritual growth. Sri Aurobindo Ashram Trust runs Sri Aurobindo International Centre of Education and other organisations. The trust meets all the basic needs of the inmates, who have voluntarily chosen the Ashram as their abode.

4. While the matters stood thus, some of the inmates appear to have preferred complaints against certain others alleging various acts which are detrimental to their peaceful living in the Ashram. Similarly, Thiru Vishnu Lalit, who is stated to be aggrieved by the publication of book titled "The Lives of Sri Aurobindo" made an attempt to conduct dharna in front of the Ashram. He was supported by Thiru Ashok Anand, Member of Legislative Assembly, Pondicherry. The Deputy Collector (Revenue) pursuant to the complaint preferred by the M.L.A. and others summoned the petitioner for enquiry. The second respondent also made an attempt to publish notice in the notice Board of the Ashram soliciting the Ashramites to disclose any information that they would like to state in the matter. The action taken by the Government of Pondicherry to hold enquiry is challenged in W.P.No.27099 of 2012.

5. The petitioner filed another writ petition in W.P.No.1478 of 2013 for a direction to the Government of Pondicherry to restrain the Additional Government Pleader from appearing on behalf of the State in view of his engagement as Counsel for some



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of the inmates of the Ashram, who were instrumental in initiating various proceedings against the Ashram.

6. This Court granted an interim order on 5 October 2012 staying the enquiry and the said order was periodically extended.

7. The Deputy Collector (Revenue) filed a counter affidavit in answer to the contentions raised in the affidavit filed in support of the writ petition. The second respondent contended that several inmates and Thiru Ashok Anand, Member of the Legislative Assembly submitted representations to the Government with a request to conduct a detailed enquiry with respect to the affairs of Ashram. The Government accordingly initiated enquiry proceedings. The Deputy Collector made it very clear that opportunity would be given to the Ashram to submit response and prove its version and only thereafter report would be submitted to the Government.

8. When this writ petition came up for hearing on 31 July 2013. I have heard the learned counsel for the petitioner, learned Additional Government Pleader appearing on behalf of the Government of Pondicherry and the learned counsel representing other respondents.

9. The learned counsel for the Ashram during the course of his submissions made it clear that the Ashram was not against holding enquiry with regard to the complaints preferred by the inmates and the Local Legislator. The objection was only against the Collector conducting enquiry into the matter with a pre-determined mind. When it was made known that the objection was only against the appointment of Collector as the enquiry officer and not against holding enquiry in the matter, I have made a suggestion to the parties as to whether they are agreeable for appointment of a former Judge of High Court as enquiry officer to hold the enquiry. I have given sufficient time to the parties to deliberate on the issue and to offer their views in the matter.

10. When the writ petition was taken up on 13 August 2013, the learned counsels appearing on either side have jointly submitted that they are agreeable for holding an enquiry as proposed by this Court and wanted me to suggest the name of a former High Court Judge as enquiry officer.



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11. I have suggested two names, out of which, the parties have agreed for appointment of Thiru P.R.Raman, Former Judge, High Court of Kerala as enquiry officer. However, Mrs. Pushpa Menon, learned counsel for respondents 4 to 6 wanted a lady Judge or Advocate to assist Thiru P.R.Raman, as according to her, female inmates would not be in a position to disclose certain facts to the learned Judge.

12. The learned Additional Government Pleader, Pondicherry submitted a memo indicating that the Government have no objection for appointing a former Judge of the High Court, as suggested by this Court to hold enquiry.

13. Mrs. Pushpa Memon, learned counsel for respondents 4 to 6 wanted to appoint an administrator to the Ashram by dissolving the Trust Board so as to enable the enquiry officer to hold a fair enquiry. Thiru C.A.Diwakar, learned counsel for Ashram opposed the said request as according to him such a prayer is beyond the scope of this writ petition.

14. It is a matter of record that a scheme suit is now pending before the District Court at Pondicherry. This Court is now concerned only with the enquiry ordered by the Government. Since the matter is pending before this Court, and in view of the interim stay, the enquiry was kept in abeyance. The direction was only to conduct enquiry by the Collector and it was only the said order which was put in issue in this writ petition. We cannot expand the scope of the writ petition by appointing an Administrator to manage the affairs of Ashram during the currency of enquiry. The administration of Ashram by the Trust Board would not matter much to the enquiry officer. The enquiry would be conducted by the learned Judge independently with the co-operation and assistance of all concerned. Therefore I am not inclined to accept the request for dissolution of the Trust Board and appointment of Administrator during the currency of inquiry proceedings.

15. There is no dispute that Sri Aurobindo Ashram at Pondicherry is an institution of international repute. There is a regular inflow of tourists to Pondicherry on account of its historical importance. Sri Aurobindo Ashram is the main centre of



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attraction and people from other States and abroad visit this place, described by the tourist department as "peaceful pondicherry". The issues raised by some of the inmates of Ashram, the MLA and others should not result in lowering the image of Ashram. The sanctity of Ashram should be preserved at any cost.

16. Since the petitioner and the respondents have agreed for holding enquiry by Mr. Justice P.R.Raman, I am of the view that the learned Judge should be appointed as the enquiry officer.

17. (a) Thiru PR Raman, Former Judge, High Court of Kerala, residing at 113, "DIKSHIT", Jawahar Nagar, Kadavanthara, Cochin-682 020 (Phone No.0484-2204377) is appointed as the enquiry officer by consent to hold enquiry with respect to the following issues.

"(i) Whether allegations of sexual harassment of women and children in the Ashram are true?

(ii) Whether there is any truth in the allegation regarding violation of Human Rights and denial of fundamental rights to the inmates of Ashram?

(iii) Whether there is any truth in the allegation of misappropriation of Ashram funds?

(iv) Whether there is any truth in the allegation of illegal sale and lease of Ashram Properties by the Trustees?"

(b) Mrs. Sathya Sri Priya Easwaran, Advocate, residing at No.5, Cahitanya, Chilavannur Road, Elamkulam, Cochin 682 020 (Cell 09495 12695) suggested by the Hon'ble Judge is appointed as the enquiry Assistant to assist the enquiry officer to record the statements of female inmates of Ashram.

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21.(a) The writ petitioner and the respondents are directed to extend their whole hearted co-operation to the enquiry officer to hold the enquiry in a free atmosphere.



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(b). *The parties to the writ petition and their agents and servants are restrained from raising the issues, (which are now referred to the enquiry officer) in any other forum or in any other manner pending enquiry proceedings.*

(c). *The inmates of the Ashram should be given full freedom to express their views and grievances to the enquiry officer.*

(d). *The petitioner should not take any action which would have the effect of preventing the inmates from giving statements before the enquiry officer*

(e) *The facilities enjoyed by the inmates should not be curtailed during the currency of enquiry.*

(f) *There should not be any act of indiscipline by any of the parties which would cause an adverse effect on the enquiry or which would stall the enquiry proceedings.*

22.(a) *The Collector, Pondicherry is directed to hand over all the complaints received by him against the Ashram to the enquiry officer forthwith.*

(b) *It is open to the enquiry officer to work out the modalities for receiving complaints after the commencement of enquiry proceedings.*

23. *The learned Judge is requested to conclude the enquiry as expeditiously as possible and submit his report before this Court.*

24. *Post the writ petition along with W.P.No.1478 of 2013 on 4th November, 2013.”*

17. The Hon'ble Enquiry Judge submitted an interim report pending matter before him pointing out that a petition had been received from 165 persons from Odisha who had requested that they be permitted to depose. The Hon'ble Judge stated that acceding to their request would expand the enquiry beyond the period of three months that he envisaged the assignment would stretch over. He



thus expressed inability to proceed further with the assignment. This position has been captured in order dated 11.10.2013 that reads thus:

“This writ petition is posted today to consider the report filed by Mr. Justice P.R.Raman, former Judge, High Court of Kerala, who was appointed as the Enquiry Officer, by consent vide order dated 30 August 2013.

Background:-

2. Mr. Justice P.R.Raman, pursuant to the order dated 30 August 2013, conducted a preliminary enquiry on 27 September 2013. The proceedings recorded by the Enquiry Officer indicated the details of the enquiry held on 27 September 2013, the representations received and the submissions made by various parties. The next enquiry is scheduled to be conducted from 23 October to 26 October 2013.

3. The Enquiry Officer appears to have received a representation signed by 165 people from Odisha who are stated to be the devotees of the Ashram and who have some information regarding the issues under consideration. The original understanding was that the enquiry would be confined to the complaints received from the inmates of ashram and the local MLA, and as such, it would take less than three months. In view of the subsequent developments, the Enquiry Officer was of the view that it would take minimum six months to complete the process. The Enquiry Officer therefore expressed his difficulties to continue, as he has to come from Cochin frequently. It was only on account of the representation submitted by the Enquiry Officer and the request to relieve him from the engagement, I have posted this writ petition under the caption "on report".

4. The respondents, at whose instance enquiry was initiated by the District Collector, through their counsel, earlier explained that they want an independent Enquiry Officer from another State. It was only on account of their suggestion, I have appointed Mr. Justice P R Raman, by consent of parties.

5. When the matter came up on 7 October 2013, I have suggested the name of Mr. Justice T.L. Viswanatha lyer, former



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Judge, High Court of Kerala as the Enquiry Officer, in the place of Mr. Justice P.R. Raman. I have also suggested the name of a local Advocate to coordinate the work. The respondents, including the learned Additional Government Pleader, Puducherry, submitted that it is better not to appoint anybody from Puducherry, even to assist the enquiry officer.

6. Since Mrs Pushpa Menon, Advocate was not present, I have adjourned the hearing to 8 October 2013.

7. When the matter was taken up on 8 October 2013, Mrs. Pushpa Menon, requested to post the matter on 10 October 2013.

8. The writ petition was taken up on 10 October 2013, for further hearing in the light of the report filed by the Enquiry Officer. Mr. Vincent Rayar, Deputy Collector (Revenue) Puducherry was also present. Mrs. Pushpa Menon submitted that she has already given change of Vakalat and her client Mr. Dayanidhi Patel was present in Court. Thereafter, I have heard Mr. C.A. Diwakar, counsel for the petitioner, Mr. Cyril Mathias Vincent, Additional Government Pleader, Puducherry, and Mr. Dayanidhi Patel, fourth respondent in the writ petition.

9. Mr. Diwakar and Mr. Vincent, submitted that Mr. Justice T.L. Viswanatha lyer, is a very good choice, considering his experience and integrity. Mr. Dayanidhi Patel, initially submitted that he wanted to consult others in his group before taking a decision. When it was pointed out to him that the enquiry should be continued from 23 October 2013 as per the original schedule, and it is not possible to keep it pending, he agreed for the appointment of Mr. Justice T.L. Viswanatha lyer and to proceed with the enquiry.

10. Mr. Diwakar, learned counsel for Arabindo Ashram, submitted that the enquiry should be confined to the inmates of Ashram and the complainant who have approached the District Collector, Puducherry, as otherwise, it would be a never ending process inasmuch as there are thousands of devotees who are agitated on account of the false campaign undertaken by the respondent no.4 and his associates.



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11. *The learned Additional Government Pleader submitted that the issues regarding entertaining complaints from non Ashramites should be left to the wisdom of Enquiry Officer.*

Analysis:-

12. *The District Collector, Puducherry, initiated enquiry pursuant to the complaints made by some of the inmates of ashram besides Mr.Ashok Anand, MLA, Puducherry. It was only the said enquiry, which was challenged by Arobindo Ashram. The proposed enquiry was with reference to specific complaints. The enquiry cannot be converted as a referendum.*

13. *The enquiry proceedings commenced on 27 September 2013 should be continued till its logical end. Therefore, I am inclined to pass the following order, in partial modification of earlier order dated 30 August 2013.*

(i) *Thiru.T.L.Viswanatha lyer, former Judge, High Court of Kerala, residing at Chittoor Road, Cochin, 68 20 11, (Phone 0484 2372884) is appointed as the Enquiry Officer, in the place of Mr.Justice P.R.Raman;*

.....

(iv) *The enquiry would be in relation to the complaints received by the District Collector. The inmates of Ashram and former inmates are also at liberty to approach the Enquiry Officer, in case they are also aggrieved.*

(v) *Since the enquiry is not general in nature and is specific to the complaints received by the District Collector, it is open to the Enquiry Officer to take a decision with regard to participation of third parties, provided, they satisfy that they were the inmates of Ashram at a particular point of time.*

(vi) *The modalities of enquiry would be decided by the Enquiry Officer;*

(vii) *The inmates of the Ashram should be given full freedom to express their view/complaints. There*



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should not be any attempt to curtail their freedom or to take away the facilities which they are enjoying now, solely on account of their expression of dissent or giving statement before the Enquiry Officer.

(viii) The Chief Secretary to the Government of Puducherry is directed to extend all the necessary assistance to the Enquiry Officer.

(ix) The Enquiry Officer should be treated as a State Guest;

(x) The venue of the enquiry would be "Training Hall, Block C, Chief Secretariat Building, Beach Road, Puducherry".

(xi) The necessary supporting staff, computer and other amenities should be provided by the Union Territory of Puducherry administration;

(xii) The Director General of Police is directed to provide security to the Enquiry Officer,

(xiii) Since the ruling party legislature himself has preferred a complaint, the participation of the State in the enquiry should be only to assist the Enquiry Officer,

(xiv) The traveling arrangements, boarding and lodging and the necessary expenses should be borne by the petitioner,

(xv) The Enquiry Officer is requested to conclude the enquiry as early as possible and file a report before this Court preferably by 31 December 2013.

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15. The order dated 30 August 2013, would remain subject to the modification as indicated above.

16. Post on 2 January, 2014."



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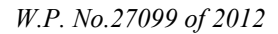
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18. Though an objection appears to have been originally taken, in regard to the appearance of Mr.Cyril Mathias Vincent for the respondents on the ground that he has on several occasions appeared on behalf of disgruntled elements against the Ashram, this ground does not survived today and is not pursued, since he is not a part of the panel of counsels for the official respondents. Nothing further need be said in this regard.

19. While this is so, some complainants were filed in Writ Petition (W.P.(Civil)No.695/2014) as a Public Interest Litigation before the Hon'ble Supreme Court also seeking enquiry to be made into the allegations made by various persons including inmates against the Ashram/Trust. Notice was ordered in August, 2014. That Writ Petition came to be dismissed on 22.09.2022.

20. To be noted, that in the interregnum, the first petitioner in that Writ Petition one Gayathri Satapathy, had filed an Interlocutory Application seeking withdrawal of her name from the array of parties, since she did not wish to pursue the Writ Petition any further. The third petitioner had passed away. The second petitioner had been heard leading to the dismissal of the Writ Petition in the following terms:

“Learned counsel for the petitioners has filed an interlocutory application being I.A. No.142537/2021 for deletion of the name of petitioner no.1 from the array of parties.



Pending interlocutory application(s), if any, stands disposed of.”

7. On a consideration of the aforesaid matter, we are of the view that the subject matter of the present petition is really an individual grievance being vented out by one follower who had his own perception. Whether he had any oblique motive or not is left unsaid because there is no trial taking place in the present matter. If the issue is of proper management of the trust as canvassed by



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the learned counsel for the petitioner, then the same is already brought to the notice of the respondents/authorities, who have found illegality or irregularity in it for taking any action as the present proceedings certainly cannot be converted into one of a trial between the petitioner on one side and the Trust on the other side. The petitioner at best could have pleaded for looking into the complaints by the respondents/authorities, which had already been done.”

22. Apart from the private respondents in this matter, complaints had been filed over the years by other inmates of the Ashram and litigation initiated by some. While the fate of that litigation is set out in Annexure –I, the identity of the complainant as well as his/her status in the Ashram has also been set out as a means, in the interests of full disclosure and also be demonstrated that many of the inmates while having initiated complaints continued in the Ashram itself, drawing benefit from the facilities. This list is annexed to this order as Annexure I.

23. To be noted that the Ashram has been the focus of several cases and a tabulation of the same over the years has been furnished, annexed to the order as Annexure II. The Annexures may be referred to now, (for the purpose of completion) as well as to illustrate that much of the slew of allegations made have already been addressed by the Courts.



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24. The narration as aforesaid, captures the trajectory of not just this litigation but all litigation before Courts including the Hon'ble Supreme Court. After the hearing on 11.10.2013, there was a hiatus in the listing of this matter at all till 22.11.2022.

25. On 15.12.2022, there had been no appearance on behalf of the private respondents, and this Court had, on 11.10.2013 recorded that Mrs.Pushpa Menon had withdrawn her vakalat on behalf of private respondents, R4 to R6. The aforesaid position had also been noted by the Court under order dated 11.10.2013 at paragraph No.8.

26. When the matter was listed before me on 15.12.2022, two things weighed on my mind, viz., i) as to whether the private respondents continued their crusade against the petitioner Trust, believing that the allegations still survived and ii) since the Trust is a public Trust managing a Public Institution of great cultural and spiritual value and touching upon the interests of devotees of Sri Aurobindo and the Mother as well as the general public, whether there was any cause or necessity to continue the action initiated by the official respondents as impugned in this Writ Petition.

27. On the first question, since R4 to R6 were not represented, the erstwhile counsel withdrawing her vakalat, I had directed Mr.Diwakar to take notice afresh



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and produce proof of service on them as recorded under docket order dated 05.01.2023. A Memo dated 25.01.2023 has been filed by the petitioner stating that R4 has been served, R5 passed away on 24.02.2018 and notice to his legal heir hand delivered and R6 had also passed away on 18.05.2021 leaving behind no legal heirs.

28. As regards petitioners 7 to 15, they are represented by Mr.Veerapandian, who has made no submissions. R16 who is one of the original complainants at whose behest the impugned action has been initiated by the respondents is not represented though the name of counsel who has entered appearance on his behalf is printed in the cause list.

29. Thus, none of the private respondents, whosoever survived, have chosen to continue or perpetrate their allegations made in 2012, at this point in time. With this, in fact, and in my considered view, the Writ Petition is effectively rendered infructuous.

30. Not wishing to close my eyes to the larger question of whether an investigation was required in public interest, though I am conscious that this is not a public interest litigation, learned counsel for both parties were requested to make their submissions on this count.



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31. Mr.Diwakar would draw attention to the fact that both before and pending Writ Petition, the Society had been the target of several cases filed by the Sri Aurobindo Ashram Inmates' Association and individuals. I have annexed to this order an annexure of such cases. The final result of those cases as tabulated in column, by name 'Disposal' reveal to me that the result had been in favour of the Ashram on all occasions. 10 cases are still pending. They will, needless to be stated, be heard and decided by the respective Courts before which they are pending, in accordance with law and without reference to any of the observations in this order.

32. The say of Dr.Ramaswamy, learned Additional Government Pleader appearing for official respondents, being R1 to R3 is that they must be allowed to continue their investigation. Normally, this Court would not stand in the way of an investigation being conducted by the competent authorities, particularly of such a grave and serious allegations, as the present case. However, this is assuming that a justification is made out in this regard. The trajectory of events, especially the fact that the petitioner has been the target of multi-pronged litigation before several fora, do leave me with the impression that there is no justification and no provocation *as on date* to continue the proceedings under the impugned notice.



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33. The petitioner has, in the interests of disclosure placed on record several unsavoury events/incidents that had taken place in the Ashram premises. These include allegations of sexual harassment, suicide of some inmates and serious malpractices in the functioning of the school run by the Ashram.

34. Without doubt, these situations call for swift and serious action. However, these instances are of yesteryears, contemporaneous with the filing of earlier Writ Petitions and civil suits that have been, after detailed discussion, been closed in favour of the petitioner by the Courts. I see no reason to re-visit those instances now.

35. The genesis of the allegations leading to the issuance of the impugned notice are complaints by Vishnu Lalit and Ashok Anand. Apart from the fact that the complaints are not being pursued now, even assuming that the complainants have been won over by the Ashram, there is a report issued by the Superintendent of Police (North), Puducherry dated 22.02.2012 to the effect that the agitation that was staged by the complainants involved the participation of several persons from Orissa. This finds support in order of this Court dated 11.10.2013 by Hon'ble Mr.Justice K.K.Sasidharan.

36. Inter alia, he refers thereto to a request having been made before the then Hon'ble Enquiry Judge, Justice P.R.Raman by 165 persons from Odhisha to



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depose before him in the enquiry. There has been no follow-up by these individuals thereafter and neither is their cause pursued by the private respondents.

37. The categoric allegation by the petitioner is that these persons were brought in from outside merely to lend credence to the agitation. There has been no material placed on record by the official respondents to controvert this. Likewise, there is no other material apart from the complaints of Vishnu Lalit and Ashok Anand that are the sole trigger points to justify continuation of the impugned notice/proceedings, at this juncture.

38. In light of the detailed discussion as aforesaid, I am of the categoric view that the trigger for issuance of impugned notice dated 01.10.2012 has run its course and the cause of action for such issuance does not survive today.

39. For the reasons as aforesaid, impugned notice dated 01.10.2012 is set aside. I, however, make it clear that this order is specific to the impugned notice only, though it has taken note of intervening events and does not, under any circumstances, foreclose grievance/complaints, if any, as against the petitioner Trust, going forward.



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40. With the setting aside of the impugned notice, this Writ Petition is allowed. No costs. Connected Miscellaneous Petitions are closed.

23.02.2023

Index: Yes/No (though without annexures)

Speaking order/Non-speaking order

Neutral citation: Yes/No

sl

Note: Annexure I & II Enclosed

To

1. The District Collector,
Revenue Complex,
Saram, Pondicherry.
2. The Deputy Collector (Revenue),
North cum Sub Divisional Magistrate (North),
Revenue Complex, Saram,
Pondicherry.
3. Deputy Tahsildar,
Office of the Deputy Collector (Revenue),
North cum Sub Divisional Magistrate (North),
Revenue Complex, Saram,
Pondicherry.



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Annexure - I

S.No.	Complainant's Name	Status
1.	Lipi Das	Continues to be an inmate of the Ashram
2, 3	Kirti Chandak and Jagrathi Shah	(i) Kirti Chandak was never an inmate (ii) Jagrathi Shah was never an inmate (iii) Nikhil Virani was never an inmate
4.	Abla Mohanty	Inmate of the Ashram. Ashram continues to take care of her
5.	Amrita Acharya	Not inmate of the Ashram. Unknown to Ashram
6.	Dilip Agarwal	Continues to remain an inmate of the Ashram and take the benefits of the facilities of the Ashram
7.	Dr.Gayatri Satapathy	Rejoined as inmate of the Ashram after having given an apology and promising not to be misled by others in the future.
8.	Annapurna Mohanty	Continued to remain an inmate of the Ashram and take the benefits of the facilities of the Ashram until she passed away on 30.04.2022
9,10,11, 12, 13	Hemlata Prasad Arunashree Prasad Jayashree Prasad Nivedita Prasad Rajashree Prasad	Hemlata Prasad – Expelled from Ashram consequent to an enquiry ordered by the High Court which found her guilty of misconduct, which she has challenged in the Munsif Court. Arunashree Prasad – Expelled from Ashram, Deceased on 17.12.2014 Jayashree Prasad and Niveditha Prasad – Expelled from Ashram consequent to enquiries conducted by a retired Deputy



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		Secretary of Pondicherry which found them and their sisters guilty of misconduct, which has been challenged in the Munsif Court. Rajashree Prasad – Expelled from Ashram, Deceased on 17.12.2014.
14.	Radhikarajan Das	Continued to remain an inmate of the Ashram and take the benefits of the facilities of the Ashram until he passed away on 07.05.2019
15.	Annapurna Das	Continues to remain an inmate of the Ashram and take the benefits of the facilities of the Ashram
16.	Bailochan Parida	Though not an inmate of the Ashram, consequent to his repeated entreaties, Ashram decided to take care of him as he is ill and incapacitated
17, 18, 19	Kavita Singh Brajkishore Singh Aruna Mohanty	All of them continue to remain as inmates of the Ashram and take the benefits of the facilities of the Ashram
20,21,22,23,24,25,26,27,28,29,30	Bilasini Mishra Sudha Sinha Togo Mukherjee Sanjukta Das Ravindra Maharana Niranjan Naik Abhinna Chandra Patra RY Deshpande Varun Pabrai Siddeshwar Mishra Sharma Sadhana Ranade	Bilasini Mishra – Continues to remain an inmate of the Ashram and take the benefits of the facilities of the Ashram Sudha Sinha – was never an inmate of the Ashram. She was one of the petitioners in a Section 92 Suit O.S.15/2011 praying for a scheme so that action can be taken against Peter Heehs, The Author of “Lives of Sri Aurobindo”. The said Suit was dismissed on 19.07.2017 Togo Mukherjee – was never an inmate of the Ashram although he was permitted to take the benefits of some facilities of the Ashram. To the best of the petitioners knowledge he has passed away a few years ago. Sanjukta Das - Continues to remain an



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inmate of the Ashram and take the benefits of the facilities of the Ashram

Ravindra Maharana Continues to remain an inmate of the Ashram and take the benefits of the facilities of the Ashram

Niranjan Naik – He was one of the petitioners in a Section 92 Suit O.S.15/2011 praying for a scheme so that action can be taken against Peter Heehs, The Author of “Lives of Sri Aurobindo”, which was dismissed on 19.07.2017. He continues to remain an inmate of the Ashram and take the benefits of the facilities of the Ashram

Abhinna Chandra Patra Was a petitioner in O.S.623/2012 which was dismissed on 06.08.2017. He chose to leave the Ashram in the year 2014.

RY Deshpande - Continues to remain an inmate of the Ashram and take the benefits of the facilities of the Ashram

Varun Pabrai Continues to remain an inmate of the Ashram and take the benefits of the facilities of the Ashram

Siddeshwar Mishra Sharma Continues to remain an inmate of the Ashram and take the benefits of the facilities of the Ashram

Sadhana Ranade Continues to remain an inmate of the Ashram and take the benefits of the facilities of the Ashram



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32	S. Annapurna	S. Annapurna was never an inmate of the Ashram. She has been writing repeatedly apologies and asking that the facilities of the Ashram be extended to her.
33.	Narayan Swain	Narayan Swain – In view of his illness and incapacitation, he was treated by the Ashram Doctors in the Ashram Nursing Home and died on 04.03.2020.



Annexure – II

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SL #	SUIT NUMBER	I.A AND APPEALS IN THE SUIT	FILED AT	FILED BY	PRAYER	CURRENT STATUS
1	O.S 12/97		III ADM, Pondicherry	Sri Aurobindo Ashram Inmates' Association	Permanent injunction restraining the Managing Trustee to interfere in the management of the association	Dismissed vide order 21.04.1997
2	O.S 57/99		I ADM Pondicherry	Sri Aurobindo Ashram Inmates' Association	Injunction directing furnishing copy of the audited statement of accounts	Dismissed on 7.10.1999.Appeal s 21.02.2000
3	O.S. 89/97		III ADM, Pondicherry	Kamal Dora	To declare the expulsion order as null and void	Dismissed on 04.03.1997
4	O.S. 90/97		III ADM, Pondicherry	Dilip Agarwal	To declare the expulsion order as null and void	Dismissed on 04.03.1997
5	O.S. 91/97		III ADM, Pondicherry	Dilip Agarwal	To declare the expulsion order as null and void	Dismissed on 04.03.1997
6	O.S. 88/97		III ADM, Pondicherry	Srikant Jivarajani	To declare the expulsion order as null and void	Dismissed on 04.03.1997



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7	O.P 22/97		PDJ, Pondicherry	Nandhivarman and DK Ramanujam	Directing the respondents to furnish list of movable and immovable properties and its incomes	Dismissed on 29.08.2005
8	Unnumbered O.S of 98		PDJ, Pondicherry	Nandhivarman and DK Ramanujam	To evolve a scheme for the management of the Trust	Dismissed on 29.08.2005
9	O.S. 37/98		III ADM, Pondicherry	Kamal Dora	To declare his expulsion null and void	Dismissed on 13.11.2003
10	W.P 52/99		Supreme Court of India	Bijan Ghosh	To declare the 1972 edition of Savitri as the original etc.	Dismissed on 08.02.1999
11	W.P 467/99		Calcutta High Court	Supradip Roy	To declare the 1972 edition of Savitri as the original etc.	Dismissed on 20.04.1999
12	T.S. 117 /99		Civil Judge (Jr. Division) Krishnagar West Bengal	Marjana Guha (sister of Bijan Ghosh)	To declare the 1972 edition of Savitri as the original etc and prevent Ashram from selling distributing any other edition etc	Dismissed on 17.09.2005. Leave plaintiff to condone the delay for also dismissed.
		Adinterim injunction petition	Civil Judge (Jr. Division) Krishnagar West Bengal	Marjana Guha	Seeking adinterim injunction	Dismissed by the Civil Judge (Jr) order dated 05.07.1999
		Misc. Appeal 53/ 99	District Judge- Nadia Krishnagar West Bengal	Marjana Guha	Against the order dated 05.07.1999 of the Civil Judge (Jr) Division	Dismissed by judgment and order



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		C.O./ C.R. No 2848/2 000	Calcutta High Court	Marjana Guha	Against order dated 07.09.2000 of the District Judge Nadia	Dismissed by order dated 04.12.
		Interim injunction on petition	Civil Judge (Jr. Division) Krishnagar West Bengal	Marjana Guha	Seeking interim injunction in the above suit	Dismissed by order dated 20.01.
		Misc. Appeal 20/200 1	District Judge- Nadia Krishnagar West Bengal	Marjana Guha	Against the order dated 20.01.2001 in injunction petition	Dismissed by order dated 23.05.
		C.O. / C.R. NO 1911 /2002	Calcutta High Court	Marjana Guha	Against order dated 23.05.2002 of the Addl. District Judge Nadia	Dismissed
13	C- 2598/99		Judicial Magistrate – Alipore, West Bengal	Anil Ghosh	Criminal complaint regarding the edition of Sri Aurobindo's Epic Savitri against Harikant C Patel and 10 others	Charges quashed by the Calcutta accused discharged. SLP filed by dismissed on 21.11.2005
		C.R.R. 1966 of 1999	Calcutta High Court	Anil Ghosh	To quash the proceeding on various stated grounds	Dismissed by order-dated 19.12. the issues should be agitated at
		C.R.R. 2731 of 2002	Calcutta High Court	Anil Ghosh	To quash the proceeding ground that the evidence does not disclose any material to warrant the framing of charge	Charges against the accused qua Calcutta High Court.SLP filed and 21.11.2005



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14	Suit No 95 of 2001		High Court Delhi	Anil Ghosh, Debkumar Ghosh, Dilip Agarwal	To declare the 1972 edition of Savitri as the original etc and prevent Ashram from selling distributing any other edition etc	Dismissed but revived by the Plaintiff. Dismissed once again on 2
		I.A. 4845 of 2001	High Court Delhi		Seeking Interim injunction in above	
15	O.S. 215 of 2001		I ADM Pondicherry	Hemlata Prasad	Declare her expulsion on grounds of indiscipline as illegal	High Court terminated the suit on 2001. The court appointed an Enquiry Officer who conducted an enquiry and found the delinquent on the charge
16	O.S. 668 of 2002		I ADM Pondicherry	Hemlata Prasad	Declare her expulsion on grounds stated in the finding of the enquiry officer appointed by the High Court as illegal and perverse	Pending with the I Addl. Dist Magistrate
		I.A. 2937 of 2002		Hemlata Prasad	Interim injunction to act on the report filed by the Enquiry Officer appointed by the High Court	Injunction granted
		C.M.A. 1 of 2003	Adll. Sub Judge .Pondicherry	Hemlata Prasad	Appeal against the order in I.A. 2937	Interim injunction confirmed.
		CRP (PD) 3037 of 2007	High Court, Chennai	Hemlata Prasad	Revision against the order of the Sub-Judge	Order of Appellate Court modified



17	STR 864/2001		Judicial Magistrate I Pondicherry	Hemlata Prasad	Charge of defamation against some Ashramites in the subject matter for which enquiry has been held by the enquiry Officer appointed by the High Court	Dismissed on 23.11.2004. All acc Hemlata has filed a revision again Revision dismissed by HC
18	O.S. 253/ 2001		I ADM Pondicherry	Jayashree Prasad and four others (all 4 are sisters of Hemalata)	To declare the show cause notice regarding their indiscipline as illegal	Dismissed on 09.03.2007.Filed fi the dismissal. Ist Appeal by Jaya other.Dismissed on 09.04.2010



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19	OS 409 / 2005		I ADM Pondicherry	Jayashree Prasad and four others (all 4 are sisters of Hemalata)	To declare the expulsion based on enquiry report as Null and void	Pending disposal. High Court found them guilty of and directed them to stay outside and filed by Jayashree Prasad and others the order of High Court. Supreme court dismissed the leave application of Jayashree Prasad and others to leave the Ashram on 31.07.2014. Jayashree Prasad and others have filed a contempt petition in the High Court numbered as 395 of 2014. The Court directed the Pondicherry Police to ensure that the Petitioners do not leave the Ashram themselves. They were evicted from the Ashram by the Police in December 2014. Trial is pending.
		IA 1500/2005	PDM , Pondicherry	Jayashree Prasad and four others (all 4 are sisters of Hemalata)	Interim relief by preventing Ashram from withdrawing any facility of Ashram from the Petitioners.	Allowed
		CMA 35/2005	ASJ, Pondicherry	SAAT	Against the order granting interim relief by PDM	Allowed, however, the Order not to be executed. Petitioners are allowed to work in the Ashram and not to create chaos.



		CRP (PD) 3314/ 2007	High Court Madras	SAAT	Against the Order passed in CMA 35/2005	High Court directed that the Petitioners be allowed to stay out of their residence and SAAT to bear reasonable costs for their boarding outside. However, the Petitioners simply stated that they have chosen to stay in the building of the Ashram.
		CRP(PD)) 3314/2 007 MP 1 (Clarification)	High Court Madras	SAAT	Clarification as to whether going out by the Petitioners could imply staying in another accommodation of the Ashram.	Its Order clarified by the High Court ordering that the Petitioners should stay outside the Ashram and inform the court accordingly. The Petitioners choose a Guest House and permitted any guest to remain for a short stay. When the Petitioners were informed, they communicated to SAAT that the High Court of Madras had asked them to choose a place and the duty of the Ashram to make arrangements for them.



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		CRP(PD) 3314/2007 MP 2(Clarification)	High Court Madras	SAAT	High Court was informed by SAAT that the Petitioners have malafide selected a place which was not available for any long term stay.	High Court at Madras selected a Hostel and directed the Petitioners themselves there. Further the amount that was to be paid each by the Petitioners. Ashram as directed by the High Court the costs of boarding and lodging Working Womens Hostel and services each of the Petitioners which they are to receive. The Petitioners wrote to SAAT that the Order passed by the High Court is "Otiose" hence they are advised to not to comply.
		IA 2094/2010	PDM , Pondicherry	Jayashree Prasad and four others (all 4 are sisters of Hemalata)	Since the Order passed by the High Court is otiose and illegal, that therefore the PDM Pondicherry should restore all the facilities to the Petitioners.	Allowed by PDM Pondicherry review the High Court of Madras



		CRP (PD) 4219/2 010 & Contem pt Petition 1483/2 010	High Court Madras	SAAT	To set aside the Order of the PDM Pondicherry and pass appropriate Orders against the Contemners.	CRP(PD) 4219/2010 allowed and Pondicherry in IA 2094/2010 was The High Court found the Petition contempt of Court. However, in of apology tendered by the Petiti proceed further.
		SLP (Civil) 27620/ 2012	Supreme Court of India	Jayashree Prasad and four others (all 4 are sisters of Hemalata)	To set aside the Order of the High court at Madras by allowing the Petitioners to continue the relief of staying in the Ashram.	SLP (Civil) 27620/2012 dismissed Court of India. The Supreme Cou Petitioners to vacate the Ashram 31.07.2014 and also to maintain Ashram in the interregnum and t this effect. The Petitioners individually filed s
		Contem pt Petition 395/20 14 in SLP (Civil) 27620 /2012	Supreme Court of India	SAAT	In view of the fact that despite the memos filed by the Petitioners, the Petitioners have refused to vacate the Ashram even after 31.07.2014 despite the specific Order of the Supreme Court	The Supreme Court allowed the 395/2014 and ordered directly th Station Pondicherry to evict the they refuse to vacate the Ashram The Petitioners were evicted on



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20	O.S. 769 of 2001		II ADM, Pondicherry	Srikant Jivarajani	Directing SAAT to perform the obligation in MOU and not to disturb him from 144 Iswaran Koil Street - Pondicherry	Dismissed on 15.03.2022
		I.A 3164 of 2001	II ADM, Pondicherry		Seeking Interim injunction from disturbing Srikant from 144 Iswaran Koil Street	Injunction granted
		C.M.A 1 of 2002	PDJ, Pondicherry		Appeal against the order dated 21.12.2001 in I.A. 3164	Injunction vacated. Against which preferred Appeal in the High Court
		CRP	High Court, Chennai	Srikant Jivarajani	Appeal to set aside the order of the PDJ	Order in CMA 1 of 2002 confirms the order of High Court and dismisses the appeal
21	CC 610 of 2001		Judicial Magistrate I Pondicherry	Sri Aurobindo Ashram Inmates' Association represented by Dilip Agarwal	Accused the Trustees of Sri Aurobindo Ashram Trust of having published incorrect information	Dismissed on 27.11.2003. All the accused discharged. Appeal dismissed by the court



22	HRCOP 95/ 2000 and O.S. 298 of 2001 with TOP		Rent Controller and PDM, Pondicherry	R.K Selvarajan	Prayer to declare the petitioner as owner of the suit property	Dismissed on 05.02.2010. Filed a reopening. Reopened. Legal heirs seeking to implead themselves. Legal heirs of one of the defendants seek themselves.
23	W.P. 8021 of 2002		High Court Delhi	Ramesh Kapoor, Nishchint Kumar	Scheme suit to direct the Ashram not to publish the 1993 edition of Savitri	Dismissed by the order of the De 17.12.2002
24	W.P. 581 of 2002		Calcutta High Court	Mandeep Mishra, Nilendra Jaiswal, Sital Prasad Singh	Scheme suit seeking direction to dismiss the trustees, appoint administrators, and forbid publication of 1993 edition of Savitri.	Dismissed on 09.10.2007
25	W.P. 40514 of 2002		High Court, Chennai	Dakshinamurthy	Scheme suit seeking a direction to dismiss the trustees, and appoint a group of persons to administer the Ashram	Dismissed vide order dated 02.1
26	O.S. 663 of 2003		I ADM Pondicherry	Bailochan Parida	To declare his expulsion illegal	Dismissed vide Order dated 16.0
		I.A. 2914 of 2004	I ADM Pondicherry		Interim injunction	Interim injunction granted vide o 5.11.2003



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		CRP PD 860	High Court, Chennai	filed by Trust	To vacate the stay granted by the Munsif	High Court has modified the inter
27	O.S. 156 of 2004		PDM – Pondicherry	PP Raghavachary	To prevent the Ashram from expelling him	Suit abated on 27.12.2009
		I.A. 1344/2 004	PDM – Pondicherry		To restore to him the facilities given to inmates	Interim injunction granted
		C.M.A.1 0/04	ASJ		To set aside the order of the PDM	Injunction confirmed.
		CRP	High Court, Chennai			Interim relief modified – limited t
28	O.S. 478 of 2004		III ADM, Pondicherry	Patit Paban Ghosh	To prevent the Ashram from conducting enquiry into alleged misconduct.	Dismissed on 04.07.2011
		I.A. 2042 of 2004			Interim injunction to prevent to proceed with the enquiry	Dismissed on 2.8.2004
		CMA 18 of 2004	II ADJ, Pondicherry		Appeal against order dt. 2.8.2004	Dismissed



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29	CCof 2004		Judicial Magistrate I Pondicherry	PP Raghavachary	Case of Theft, lurking to trespass etc. against trustees, and other functionaries.	Dismissed on 1.4.2004
30	CC 173 of 2004		Judicial Magistrate I Pondicherry	PP Raghavachary	2 nd complaint of Theft, lurking to trespass etc. against trustees, and other functionaries.	Dismissed on 25.08.2005, all acc
31	OS 201 of 2007		PDM – Pondicherry	Harekrishna Das	Seeking permanent order of injunction against the Ashram from withdrawing any facility, and to declare the Plaintiff an inmate of the Ashram	Dismissed on 05.09.2011
32	HRCOP 100/200			Mayurah mallaiah	For fixation of fair Rent.	The Appellate Court determined 8150/- pm. The plaintiff has pref against this order. Revision resto the Munsif. Petition finally dispos fair rent.



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33	WP 24599 of 2009		High Court, Chennai	Surekha Jain	For not renewing the residence permit of Peter Heehs	Dismissed on 28.04.2010
34	OS 15/2011	IA 474	PDJ, Pondicherry	Ramnathan and others	A scheme suit under section 92 to dismiss the trustees and frame a scheme to administer the Ashram	Leave granted. Finally in an SLP revoked the leave granted by the. Accordingly suite dismissed on 1
35	Unnumbered OS	I.A. 370/2011	PDJ, Pondicherry	Srikant Jivarajani and 8 others	A scheme suit under section 92 to dismiss the trustees and frame a scheme to administer the Ashram	Dismissed 28.03.2014. Reopening Leave petition not allowed. Finally 05.08.2016
36	OS 73 of 2011		II ADJ, Pondicherry	Gopal Naik	Interpleader Suit for disbursing from the estate of Vimalaben	Dismissed vide Order dated 13.0
37	OS 526 / 2006		II ADM, Pondicherry	SAAT	To evict Sivasankaran from a small portion of Cazanov, a land of SAAT.	Pending



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38	OS 1572 / 2007		II ADM, Pondicherry	SAAT	To evict Subrayan from a small portion of Highland	Allowed vide Order dated 30.08.2017. Petition filed and pending. Execution pending.
39	OS 808 / 2012		II ADM, Pondicherry	Radhikaranjan Das	To prevent the Ashram from denying him food, shelter etc.	Dismissed vide Order dated 11.08.2017.
40	OS 623 / 2012		III ADM, Pondicherry	Kittu Reddy and 5 others	To declare the show cause notice issued to them by the Ashram to be void, and to injunct the Ashram from taking any action consequent to the Show cause notice.	Suit dismissed on 06.08.2017.



41	WP 27099 / 12		High Court, Chennai	SAAT, The Collector, Deputy Collector, Tehshildar	To injunct the Collector and Deputy Collector of Pondicherry to proceed with a proposed inquiry.	By Order dated 30.8.2013, a new Enquiry Officer was appointed by the High Court to look into the matter made against the Ashram. Enquiry report was submitted on 10.01.2014. Interim report by the Enquiry Officer. Complainants are not cooperating with the writ kept pending.
42	WP 1478 /13		High Court, Chennai	SAAT and The Government of Pondicherry	To remove the counsel of the Collector and Dy. Collector (acting as Enquiry officer) since the same counsel is appearing for the complainants in their cases.	Infructuous
43	PIL 695 / 2014		Supreme Court of India	Dr. Gayatri & 4 others	To dismiss the trustees and appoint eminent persons for administering the Ashram.	Dismissed on 23.09.2022
44	OS 175/2015		PDM – Pondicherry	Krishnakumari @ Ors	To partition Raghavan House	Pending



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45	Unnumbered CC... /16			Hemlata and 8 inmates of Ashram	Abetment of Suicide	Pending
46	IA 427 & 565 / 20 in Unnumbered Suit u/s 92 CPC			Hemlata Prasad and Nivedita Prasad	To frame a scheme for administering the Ashram	Pending
47	OS 1266 of 2013		!! ADM, Pondicherry	SAAT vs Sudipta Basu	Prevent Sudipta Basu from claiming malefide ownership of an Ashram property	Allowed on 07.09.2022.
48	OS 553 of 2022		PDM, Pondicherry	Lipi Das	Preventing Ashram from evicting her from Ashram property	Pending
49	OS 1312 of 2022		PDM, Pondicherry	Bipin Patel	Third party disputing the title of a property belonging to Ashram	Pending



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50	CC 17/2020		PDJ, Pondicherry	State	Against Registrar of Ashram School and another staff for complaint of non-reporting of POCSO case	Pending
51	OS 10 of 2019		Munsif cum Magistrate Vannur	Munuswamy	Injunct Ashram for taking back the Ashram property during the Plaintiff's lifetime	Dismissed on 28.02.2022

SUMMARY		
DETAILS	NUMBER OF PROCEEDIN GS	CURRENT STATUS
Petitioner - SAAT	5	Dismissed - 0
		Allowed - 3
		Pending - 2



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Defendant - SAAT	46	Dismissed - 38
		Pending - 8
TOTAL NO. OF PROCEEDIN GS	51	



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W.P. No.27099 of 2012

Dr.ANITA SUMANTH, J.

**W.P. No.27099 of 2012 and
MP.Nos.1 & 2 of 2012, 1, 4 & 6 of 2013**

23.02.2023