



W.P.No.32661 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.07.2023

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVU

W.P.No.32661 of 2015

K.K.Ramesh

.. Petitioner

Vs

1.The Government of India,
rep. by its Home Secretary,
Ministry of Home Affairs,
North Block, New Delhi.

2.The Government of Tamilnadu,
rep. by its Chief Secretary,
Secretariat, Chennai-600 009.

3.The Government of Tamilnadu,
rep. by its Home Secretary,
Secretariat, Chennai-600 009.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing all Subordinate Courts in Tamilnadu and respondents 2 and 3 to direct the contemnors to appear in person in contempt cases before Hon'ble High Court and punish the contemnors as per law and then only the



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contemnors will get fear and respect on courts and the aggrieved party will get remedy at an early date by considering the representation dated 18.09.2015.

For the Petitioner : Mr.G.Purushothaman

For the Respondents : Mr.A.Kumaraguru
Standing Counsel
for respondent No.1

: Mr.P.Muthukumar
State Government Pleader
assisted by
Mrs.R.Anitha
Spl. Government Pleader
for respondents 2 and 3

ORDER

(Order of the court was made by the Hon'ble Chief Justice)

We have heard Mr.G.Purushothaman, learned counsel for the petitioner; Mr.A.Kumaraguru, learned Standing Counsel for the first respondent and, Mr.P.Muthukumar, learned State Government Pleader, assisted by Mrs.R.Anitha, learned Special Government Pleader for respondents 2 and 3.



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2. The petitioner seeks directions to pass an order to all the Subordinate Courts in Tamil Nadu and respondents 2 and 3 to direct the contemnors to appear in person in the contempt cases before the High Court and punish the contemnors as per law.

3. Learned counsel for the petitioner submits that after the petition was filed, series of orders are passed by this Court. Pursuant to the orders passed by this Court, the respondent State authorities were required to take suitable steps.

4. We may appreciate the said fact. However, the trial Courts after taking cognizance of the contempt petition, refer the matter to the High Court. The matter is dealt before the High Court by the learned Judge or the Bench as per the roster. Whether to direct the contemnor to appear before the Court is a prerogative of the learned Judge/Bench. No blanket directions can be issued in that regard. The Judge/Bench where the matter is pending is the master of his Court and general direction in that regard cannot be issued.



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5. This Court had directed to collect the data of the pending contempt cases, which have been submitted. The State Government has also submitted about seven status reports.

6. It is high time the matter requires to be closed.

7. The writ petition, as such, stands disposed of. There will be no order as to costs.

(S.V.G., CJ.)

(P.D.A., J.)

18.07.2023

Index : Yes/No
Neutral Citation : Yes/No
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To

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- 1.The Home Secretary,
Government of India,
Ministry of Home Affairs,
North Block, New Delhi.
- 2.The Chief Secretary,
Government of Tamilnadu,
Secretariat, Chennai-600 009.
- 3.The Home Secretary,
Government of Tamilnadu,
Secretariat, Chennai-600 009.



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THE HON'BLE CHIEF JUSTICE
AND
P.D.AUDIKEVALU, J.

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