



WEB COPY



Suo motu Crl.Cont.P.No.199 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.04.2024

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH

AND

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

Suo motu Crl.Cont.P.No.199 of 2021

High Court of Madras,
Madras – 600 104.

... Petitioner

Vs.

1.K.Boopalan
2.V.R.Sundher

... Respondents

PRAYER: *Suo Motu Contempt Proceedings initiated against the contemnors herein as per order of the Hon'ble Court dated 28.02.2020 made in W.P.Nos.9468 of 2009, 8581 of 2015, 437, 442, 449 of 2020 and M.P.Nos.1 of 2009 & 1 of 2015 and W.M.P.Nos.495, 497, 501, 502, 507 & 508 of 2020 vide Roc.No.622/2021/OS.*

For Petitioner	: Mr.Arjun Suresh
For R1	: Notice not ready
For R2	: Mr.Gnanasekar



Suo motu Crl.Cont.P.No.199 of 2021

ORDER

WEB COPY

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

By taking cognizance of certain observations made by the Hon'ble Mr.Justice C.V.Karthikeyan, in W.P.Nos.9468 of 2009, 8581 of 2015, 437, 442 & 449 of 2020 vide his order dated 28.02.2020, this *suo motu* criminal contempt petition has been initiated. It is now brought to our notice that the order passed in the aforesaid Writ Petitions was challenged in an intra-court appeal in W.A.Nos.412, 414, 416, 417 and 418 of 2021 and by an order dated 23.02.2021, a Co-ordinate Bench of this Court has set aside the order of the learned Single Judge in the following manner;

“4.Accordingly, W.A.Nos.412, 414, 416, 417 and 418 of 2021 are allowed by setting aside the judgment and order dated February 28, 2020 and by requesting the learned Single Bench to look into the subsequent events and additional material sought to be relied upon by the appellant herein. If the Single Bench is satisfied that the agent has due authority to represent the principal, the merits of the matter may then be looked into. If, however, the Court still feels that the agent may



WEB COPY



Suo motu CrI.Cont.P.No.199 of 2021

not be competent to prosecute the matter on behalf of the principal, it will be open to the Court of the first instance to deal with the matter accordingly.

5.It is made clear that the observations herein are tentative and not intended to influence the course of action to be taken by the learned Single Bench. There will be no order as to costs. Consequently, C.M.P.Nos.1665, 1670, 1659, 1660 and 1661 of 2021 are closed.”

2.Since the *suo motu* Criminal Contempt Petition arises from the observations and findings made by the learned Single Judge in W.P.Nos.9468 of 2009, 8581 of 2015, 437, 442 & 449 of 2020 and the same has been set aside, this *suo motu* Criminal Contempt Petition cannot be proceeded any further and accordingly, the *suo motu* Criminal Contempt Petition stands closed.

[M.S.R., J] [S.M., J]
25.04.2024

Index: Yes/No
Internet: Yes/No

Tsg



WEB COPY



Suo motu Crl.Cont.P.No.199 of 2021

M.S.RAMESH, J.
and
SUNDER MOHAN, J.

Tsg

Suo motu Crl.Cont.P.No.199 of 2021

25.04.2024