



WEB COPY



W.P.No.19918 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.10.2024

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

W.P.No.19918 of 2024

A.Ramesh Manikandan

... Petitioner

Vs.

- 1.The Registrar General
The Hon'ble Court of Madras,
Madras High Court Campus,
Chennai – 600 104.
- 2.The Director General of Police,
Mylapore,
Chennai – 600 004.
- 3.The Commissioner of Police,
The Greater Chennai City Police,
Vepery, Chennai – 600 007.
- 4.The Inspector of Police (L & O)
B-4 High Court Police Station,
Chennai – 600 104.
- 5.G.Mohanakrishnan
The President of MHAA,
The Hon'ble High Court of Madras,
Chennai – 600 104.

... Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, directing the 1st to 4th respondent to take necessary action on my representation letters dated 18.06.2024, 20.06.2024 and 27.06.2024.

For Petitioner	: Mr.A.Ramesh Manikandan
For R1	: Mr.S.John J.Raja Singh
For R2 to R4	: Mr.R.Muniyapparaj (Additional Public Prosecutor)
For R5	: Mr.K.Prabakaran

ORDER

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

The present Writ Petition has been instituted seeking direction to the respondents 1 to 4 to initiate necessary action based on the representation submitted by the petitioner on 18.06.2024, 20.06.2024 and 27.06.2024.

2. The Writ Petition has been instituted by a practising Lawyer in High Court complex. Appearing in person, the petitioner would submit that few persons have released contemptuous videographs through social media against the judges and the judicial institutions. However, the persons committed such act had not been impleaded as party in the present Writ Proceedings. Thus, the entertainability of Writ Petition is questioned by the respondents 1 to 4. The Registrar General, High Court, Madras, filed a report stating that the petitioner has served a pendrive with eighteen videos purported to support his



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averments/allegations in the affidavit filed in support of the petition. The Registry came to know that as per the affidavit dated 20.08.2024 filed by the Deputy Commissioner of Police, Flower Bazaar District, investigations are under progress.

3. Pertinently, the mandatory requirements under Section 15 of the Contempt of Courts Act, 1971, has not been complied with. Section 15 stipulates that, for taking cognizance of criminal contempt the petitioner has to necessarily move a petition before the learned Advocate General for the purpose of obtaining consent. Admittedly in the present case, petitioner has not approached the learned Advocate General but filed the Writ Petition directly before this Court under Article 226 of Constitution of India. A direction to initiate contempt proceedings without complying with the requirements as contemplated under section 15 of the contempt of Court Acts need not be issued by this Court. If the statute contemplates a particular procedure to be followed, it is to be followed as it is. Thus, powers of Judicial review need not be exercised for the purpose of entertaining the present Writ Petition. By granting liberty to the petitioner to approach the authority in compliance with the procedures as contemplated under the contempt of Courts Act, the present Writ Petition is dismissed.



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4. Accordingly, the writ petition stands dismissed. No Costs.

[S.M.S., J.]

[V.S.G., J.]

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Index: Yes/No

Speaking/Non-speaking order

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6. The Public Prosecutor
High Court of Madras.



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