



WEB COPY



W.A.Nos.3082 and 3083 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.12.2024

CORAM :

THE HON'BLE MR. K.R. SHRIRAM, CHIEF JUSTICE

AND

THE HON'BLE MR. JUSTICE SENTHILKUMARAM MOORTHY

W.A.Nos.3082 and 3083 of 2024
and C.M.P.Nos.23347 and 23360 of 2024

1. S.Kannaiyan
2. P.Selvaraj

... Appellants in
WA.3082/2024

Ravikumar

... Appellant in
WA.3083/2024

-VS-

1. The Tamil Nadu State Commissioner for Women
Rep. by its Chairperson,
Kalasamahal, Chepauk,
Chennai-5.

2. Nishakanthi

... Respondents

Prayer : Appeals filed under Clause 15 of the Letters Patent against the common order dated 27.09.2024 passed in W.M.P.Nos.31529 and 31508 of 2024 in W.P.Nos.28891 and 28887 of 2024 on the file of this Court.



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W.A.Nos.3082 and 3083 of 2024

For Appellants
in both WAs.

: Mr.T.Saikrishnan

For Respondents
in both WAs.

: Mr.D.David Sundar Singh
for R-1
: Mr.A.P.Surya Prakasam
for R-2

* * * * *

COMMON JUDGMENT

(Judgment of the Court was delivered by the Hon'ble Chief Justice)

Counsel for appellants states that a counter has been served by respondent No.2 only today, where certain factual allegations have been made and time be given to file a rejoinder.

2. In the impugned order dated 27.09.2024, paragraph 2 reads as under:

"2. The impugned order has been passed merely on the unchecked and unverifiable allegations of the second respondent without conducting any enquiry to verify the veracity of the same."



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Further paragraph 3 states that petitioners have made out a *prima facie* case and therefore, stay should be granted on the condition of petitioners depositing a sum of Rs.4,00,000/- and Rs.3,00,000/- in W.P.No.28887 and 28891 of 2024 respectively. The order does not indicate why this condition also was required when the Court has observed that *prima facie* case has been made out by petitioners that the impugned order has been passed merely on the unchecked and unverifiable allegations of second respondent without conducting any enquiry to verify the veracity of the same.

3. Therefore, in our view, instead of going through the whole matter, we would request the learned Single Judge to take up the petitions for final hearing immediately on reopening after Pongal holidays, preferably by 24.01.2025. Until the petitions are heard, there shall be a stay of the interim order passed.

4. Parties may move the learned Single Judge for fixing a date for final hearing of the petitions.



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5. The name of respondent No.2 be redacted. Parties are also directed not to disclose the name of second respondent. Appellants shall take steps to immediately redact all those portions in the petitions as well as documents annexed to the petitions.

Writ Appeals are disposed of. There shall be no order as to costs. Consequently, interim applications are closed.

(K.R.SHRIRAM, C.J.)

(SENTHILKUMARRAMAMOORTHY, J.)

16.12.2024

Index : Yes/No
NC : Yes/No

sra



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THE HON'BLE CHIEF JUSTICE
AND
SENTHILKUMAR RAMAMOORTHY,J.

(sra)

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16.12.2024