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Contp.No.2333 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.06.2025

CORAM

THE HONOURABLE MR. JUSTICE K.KUMARESH BABU

Suo Motu Contempt Petition No.2333 of 2023

High Court of Madras,
Madras – 600 104.

...Petitioner

Vs.

1.Mr.Pushparaj
Inspector of Police,
C-2 Elephant Gate Police Station,
Waltax Road,
Chennai – 600 079.

2.Mahaavir Chordia,
alleged Joint Secretary,
Research Foundation for Jainology,
No.18, Ramanujar Street,
Sowcarpet, Chennai.

...Respondents

Prayer : Suo Motu Contempt Proceedings initiated against the Contemnors herein as per the order of the Hon'ble Court dated 10.07.2023 and 27.09.2023 made in O.A.Nos.779 & 780 of 2022 and O.A.Nos.355 to 357 of 2020 and A.No.1816 of 2020 in C.S.No.199 of 2020.



Contp.No.2333 of 2023

WEB COPY

For Respondents : Mr.S.Balaji
Government Advocate
(For R1)

No appearance
(For R2)

Mr.R.W.H.Ghyaz Ahmed
Advocate Commissioner

ORDER

This Court had initiated Suo Motu Contempt against the respondents herein for the acts that had been committed by them in execution of the warrant issued by this Court.

2. It is to be noted that this Court, by judgment dated 05.11.2024 in C.S.No.199 of 2020, held that the new office bearers of the First Respondent Society had taken over pursuant to the orders of this Court, including the management of the third and fourth defendants, had closed the suit as having become infructuous.



Contp.No.2333 of 2023

WEB COPY

3. The learned Advocate Commissioner had alleged various illegal acts that had been conducted by the interim Administrator appointed by this Court in the conduct of elections to the First Respondent Society. A perusal of the judgment dated 05.11.2024 would also indicate that the learned Advocate Commissioner was removed by orders of this Court dated 15.07.2024.

4. The learned Advocate Commissioner had also filed an intra-court appeal against the order of removal and the same is pending before the Hon'ble Division Bench. Therefore, he would submit that the contempt by the First Respondent has to be taken note of, and he would also seek for additional remuneration to be paid to him. The act of contempt was based on the report filed by the learned Advocate Commissioner indicating that the respondents herein had objected to his executing the warrant for recovery of documents from the First Defendant Society.

5. It is to be noted that the Administrator appointed by this Court had conducted elections of the First Respondent Society and also handed



Contp.No.2333 of 2023

WEB COPY

over charge of the said society and the third and fourth respondent institutions to the newly elected office bearers, and the suit itself had been closed as infructuous.

6. In such view of the matter, this Court is not inclined to precipitate the matter and would want to give a quietus to the entire issue.

7. However, as regards the claim of remuneration, since the learned Advocate Commissioner had been removed by the order of this Court dated 15.07.2024, which is the subject matter of appeal, this Court is of the view that if the learned Advocate Commissioner succeeds in the intra-court appeal, he could seek for additional remuneration thereafter.

8. In view thereof, the contempt petition stands closed. No costs.

04.06.2025

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4/5



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Contp.No.2333 of 2023

K.KUMARESH BABU, J.

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04.06.2025