



W.A.(MD) No.896 of 2020

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

W.A.(MD) No.896 of 2020

and

C.M.P.(MD) No.4917 of 2020

1.The Government of Tamil Nadu,
Rep., by its Chief Secretary,
Fort St. George, Chennai-600 009.

2.The Director General of Police,
Government of Tamil Nadu,
Mylapore, Chennai-600 004.

3.The District Collector,
Thoothukudi District,
Thoothukudi.

4.The Superintendent of Police,
Thoothukudi District.

... Appellants/Respondents

Vs.

1.K.Rukmani (Died)

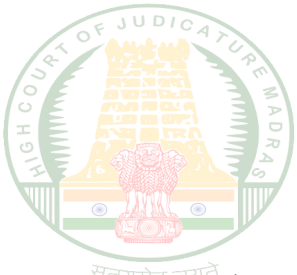
... 1st Respondent/Writ Petitioner

2.K.Kumar

3.K.Ilayaraja

... Respondents 2 & 3/Nil

[RR2 & 3 are impleaded vide order dated 10.12.2021
made in C.M.P.(MD) No.10105 of 2021 in W.A.(MD)
No.896 of 2020]



W.A.(MD) No.896 of 2020

Prayer: Appeal filed under Clause 15 of Letters Patent against the order dated 03.02.2020 passed in W.P.(MD) No.14226 of 2015.

For Appellants : Mr.S.P.Maharajan
Special Government Pleader

For RR2 & 3 : Mr.G.Prabhu Rajadurai
for Mr.I.Robert Chandrakumar

ORDER

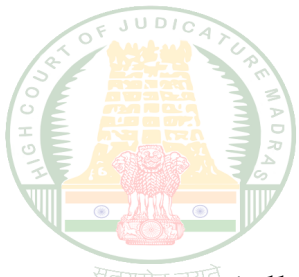
[Order of the Court was made by S.M.SUBRAMANIAM, J.]

This appeal is listed today under the caption “extension of time for lower court”.

2. The Sessions Judge, Special Court for Trial of Cases under SC/ST (PoA) Act, Thoothukudi, addressed a letter to the Registrar (Judicial), Madurai Bench of Madras High Court, Madurai vide letter dated 10.07.2025 seeking extension of time to dispose of S.C.Nos.16 and 17 of 2021.

3. A Division Bench of this Court, by judgment dated 28.04.2025, allowed the appeal and directed the trial Judge to dispose of the case on or before 10.07.2025.

4. The Sessions Judge, Special Court for Trial of Cases under SC/ST (PoA) Act, Thoothukudi in his letter has provided the reasons for not pronouncing the judgment.

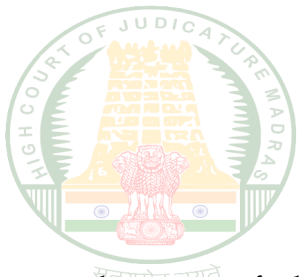


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5. Adherence of timeline fixed by the High Court for disposal of the cases would be possible, if the parties to the lis cooperates for early disposal of the cases. In numerous cases, where High Court issued directions fixing timeline to dispose of the cases, the Courts below are not in a position to comply with the same on account of non-cooperation on the part of either of the parties. Unnecessary interlocutory applications / petitions are filed to prolong and protract the matter and to increase the longevity of the cases so as to achieve their idea to pass on the cases to some other Presiding Officer or to dilute the issues involved in the particular case. It is possible that, on account of efflux of time, the issues may be faded from the minds of the litigants, witnesses etc., which would pave way for escaping from the clutches of law. This is one of the tactics being adopted with the assistance of the legal brains, which is liable to be thwarted.

6. Each Court is having more number of cases and it is to be regulated by the Presiding Officer of the Court concerned. The Presiding Officer is the best person to make assessments regarding the pending litigations and to take decision to dispose of the cases as expeditiously as possible considering the issues involved and the factors need to be considered etc. Intervention of the High Court by issuing a direction fixing timeline, undoubtedly, will create pressure in the mind of the Presiding Officer concerned. In such an event, he may not be in a position to

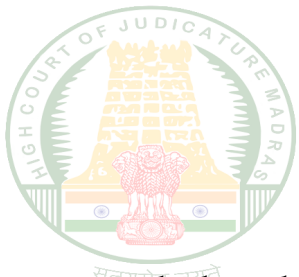


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dispose of the cases freely and fairly, by which there is a likelihood of causing prejudice to either of the parties directly or indirectly. High Court, no doubt, can issue directions fixing timeline in exceptional cases, where such direction is imminent. Even while issuing such directions, High Court may ensure that the parties cooperate for early disposal of the cases before the Court concerned. Suitable conditions are to be imposed for the disposal of the cases. Unnecessary adjournments should be avoided. Adjournments on flimsy grounds are to be dealt with seriously. Exemplary cost is to be awarded for seeking adjournments on flimsy grounds. Leniency in granting adjournments should not be accepted by the Courts. Law requires that the case is to be heard on the date fixed for hearing. Adjournments are exception and to be granted only on genuine grounds. Once hearing commenced, long adjournments are to be avoided by the Courts concerned. Long pendency of litigations are causing untold mental agony to the litigants and unnecessary adjournments will add fuel to the fire. Once the Court formed an opinion that any of the parties to the lis is attempting to increase the longevity of the cases, then stern action is to be initiated.

7. This Court is of the considered view that High Court is expected to exercise restraint in fixing timeline for disposal of the cases in a routine manner. Frequent directions fixing timeline for the disposal of the cases would not yield any fruitful



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result, but the Presiding Officers are unnecessarily pressurised for writing letters to the High Court seeking extension of time and they may not be in a position to concentrate on the disposal of the cases.

8. In the case on hand, direction was issued to pronounce final judgment in S.C.Nos.16 and 17 of 2021 on or before 10.07.2025. Several cases would be pending before the trial Court. It is for the trial Judge to regulate those cases, which all are pending and dispose of the same as expeditiously as possible and only urgent matters are to be given preference for early disposal.

9. In view of the said principles, the Sessions Judge, Special Court for Trial of Cases under SC/ST (PoA) Act, Thoothukudi is requested to dispose of S.C.Nos.16 and 17 of 2021 and pronounce final judgment as expeditiously as possible.

Sd/-

30.07.2025

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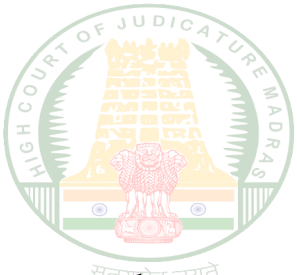
/ /2025

Sub Assistant Registrar
(CS-I/II/III/IV)

abr

To

1.The Chief Secretary to Government,
State of Tamil Nadu,
Fort St. George, Chennai-600 009.



W.A.(MD) No.896 of 2020

2.The Director General of Police,
Government of Tamil Nadu,
Mylapore, Chennai-600 004.

3.The District Collector,
Thoothukudi District,
Thoothukudi.

4.The Superintendent of Police,
Thoothukudi District.

Copy to:

The Sessions Judge,
Special Court for Trial of Cases under SC/ST (PoA) Act,
Thoothukudi.

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30.07.2025

SL (29.08.2025)/6P/ 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.