



WEB COPY



CrI.O.P.No.31569 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.03.2026

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

CrI.O.P.No.31569 of 2022

C.V.Subramanian

... Petitioner

Vs.

1.Dr.A.S.GANESAN

2.ANNAPOORANI SHANMUGASUNDARAM

3.Dr.S.SARAVANAN

4.SUMATHY SATHISH

5.ARUNA CHANDRASEKAR

6.THIRUMURUGA KIRUPANANDA VARIYAR

THAVATHIRU SUNDARA SWAMIGAL MEDICIAL

EDUCATIONAL AND CHARITABLE TRUST

A PUBLIC CHARITABLE TRUST REGD UNDER

THE INDIAN TRUST ACT REP BY ITS Board of Trustees

7.VINAYAKA MISSIONS RESEARCH FOUNDATION TRUST,

A PUBLIC CHARITABLE TRUST REGD UNDER THE INDIAN

TRUST ACT REPD BY ITS BOARD OF TRUSTEES

(R6 AND R7 AT NO.160 POONAMALLEE HIGH ROAD,

Kilpauk, Chennai 600 010)

... Respondents

Prayer: Criminal Original petition filed under Section 482 of Cr.P.C. praying to set aside the order at 28.09.2021 in CrI.RC.No.13 of 2018 and the consequential order in CrI.MP.No.8525 of 2019 on the file of the Court of the V Addl.Sessions Judge, City Civil Chennai at Chennai confirming the Order dt.09.06.2017 in M.P.No.810 of 2017 on the file of the II Metropolitan Magistrate, Egmore, Chennai 600 008.



Crl.O.P.No.31569 of 2022

For Petitioner : Mr.C.Vsubramanian
(party in person)

For Respondents
For R1,2,5 to 7 : Mr.Surya Narayanan
for Mr.Rahul Balaji

For R3 & 4 : No appearance

ORDER

This criminal original petition has been filed against the order passed in Crl.RC.No.13 of 2018 and the consequential order in Crl.MP.No.8525 of 2019 on the file of the Court of the V Addl.Sessions Judge, City Civil Chennai at Chennai, thereby confirming the order dt.09.06.2017 passed in M.P.No.810 of 2017 on the file of the II Metropolitan Magistrate, Egmore, Chennai, thereby dismissing the private complaint filed by the petitioner.

2. The petitioner lodged a private complaint alleging that he had rendered valuable professional legal service to the respondents herein since 1987 by attending courts. He was also engaged as a retainer advocate for the respondents and he had close relationship with the father of the first respondent herein. Therefore, the petitioner did not insist for professional fees for his court work and the father of the first respondent

Page 2 of 6



Crl.O.P.No.31569 of 2022

promised to look after all the comfort of him. After demise of the father of the first respondent herein, the first respondent started enmity with the petitioner herein and spoke harsh words. He also denied post graduation medical seat to the daughter in law of the petitioner. When the petitioner started claiming professional fees and retainer fees for his service rendered on behalf of the respondents, it was denied by the respondents. Thereafter, they entered into memorandum of understanding and accordingly the respondents paid a sum of Rs.25,00,000/- towards full and final settlement. Being dissatisfied with the said amount, the petitioner issued several communications and also notice thereby claiming previous dues. Further, the respondents also made defamatory allegation against the petitioner by way of reply notice. Therefore, the petitioner lodged private complaint to punish the respondents for the offence punishable under Sections 415, 420, 425, 120B, 499 & 500 of IPC. After examination of the documents which were produced along with the complaint, the trial court passed order in Crl.MP.No.810 of 2017 dismissing the complaint since no offence is made out and also on the ground that the entire allegations are civil in nature. It was challenged by the petitioner and the same was also confirmed by the appellate court, against which this criminal original petition has been filed.



Crl.O.P.No.31569 of 2022

WEB COPY

3. Heard, the learned counsel appearing on either side and perused all the materials placed before this Court.

4. On perusal of the entire allegations made in the complaint, it is revealed that the petitioner rendered service to the respondents for which he was paid a sum of Rs.25 lakhs as full and final settlement by entering into memorandum of understanding. On perusal of the memorandum of understanding dated 07.10.2014, it is revealed that the petitioner raised a consolidated bill dated 29.03.2013 for a sum of Rs.47,60,000/- followed by subsequent reminders as professional fees for service rendered by him during the year 2011 and 2012. Thereafter, the revised bill was submitted and claimed to the tune of Rs.15 lakhs as professional fees. Finally the petitioner was settled with Rs.15,00,000/- as per the revised bill dated 07.10.2014 towards full and final settlement. On receipt of the said amount, the petitioner also admitted and acknowledged the payment which was made by the respondents. The petitioner also shall have no further claims whatsoever as against the respondents herein. After receiving the amount as full and final settlement, the petitioner is keeping on sending communications and also raising bills to the respondents.



Crl.O.P.No.31569 of 2022

WEB COPY

5. Therefore, no allegations are made out to attract any of the offences as alleged in the complaint by the petitioner. Therefore, the trial court as well as the appellate court rightly rejected the complaint filed by the petitioner and this Court finds no infirmity or illegality in the impugned orders. Accordingly, this criminal original petition is dismissed.

17.03.2026

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
lok



WEB COPY



CrI.O.P.No.31569 of 2022

G.K.ILANTHIRAIYAN, J.

lok

To

- 1.Court of the V Addl.Sessions Judge, City Civil Chennai at Chennai
- 2.The II Metropolitan Magistrate, Egmore, Chennai 600 008.

CrI.O.P.No.31569 of 2022

17.03.2026