

Suo Motu W.P.No.11993 of 2021

Re: EXTENSION OF REMAND AND INTERIM ORDERS

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

(Order of the Court was made by *the Hon'ble Chief Justice*)

In the wake of the second surge of the pandemic and many judicial officers and members of the staff in the subordinate judiciary being attacked by the virus, administrative directions have been issued to suspend judicial work except in matters pertaining to production, remand and other areas which need immediate attention.

2. In the light of the above, and in keeping with, inter alia, the orders dated March 27, 2020 and April 30, 2020 made by this Court on *Suo Motu W.P.(MD) No.6126 of 2020*, the following directions are issued in exercise of the authority under Articles 226 and 227 of the Constitution together with Sections 482 and 483 of the Code of Criminal Procedure, 1973 and Section 151 of the Civil Procedure

Code, 1908:

- i. The interim orders passed by the Madras High Court, both at the Principal seat and the Madurai Bench, that were subsisting on April 30, 2021 shall stand extended till June 30, 2021, unless vacated or modified earlier or until further orders of the Court, unless specifically dealt with by any judicial order to the contrary. Similarly, the interim orders passed by the Courts in the district judiciary that were subsisting on April 30, 2021 shall stand extended till June 30, 2021 unless vacated or modified earlier by any judicial order.
- ii. Orders of eviction, dispossession and demolition that have not been executed till date shall remain in abeyance till June 30, 2021, unless the stay is expressly vacated or the order of stay expressly modified by any

judicial order passed by an appropriate forum.

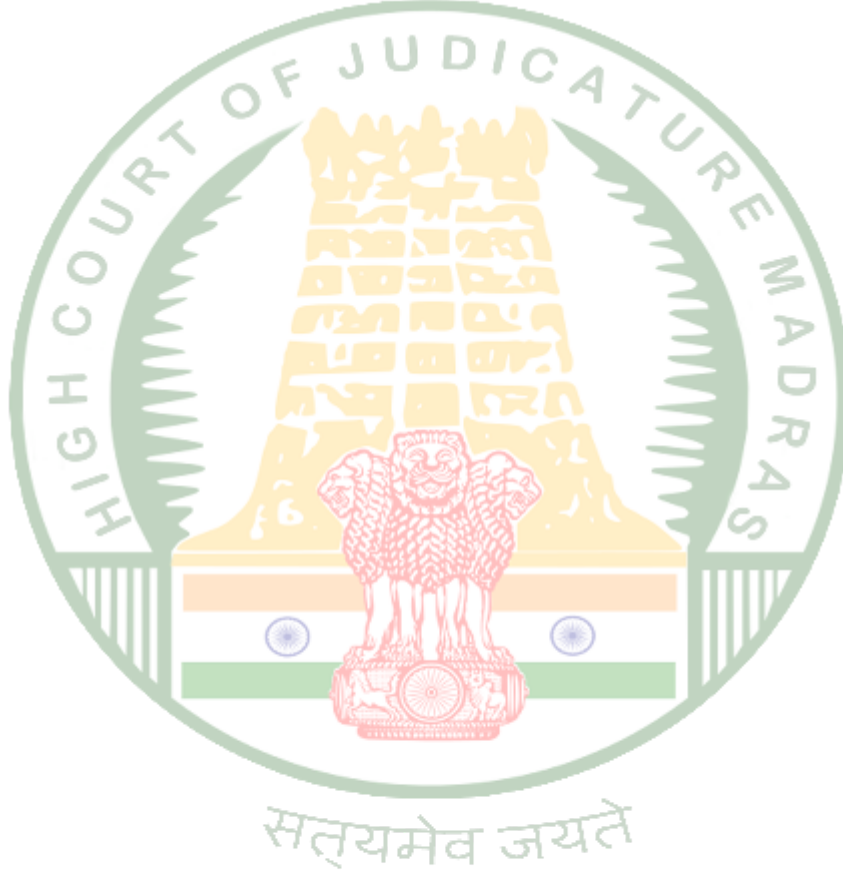
- iii. All orders passed by the Courts exercising criminal jurisdiction having granted bail, anticipatory bail, or parole etc. for a limited period which are likely to expire on or before June 30, 2021 shall stand extended till June 30, 2021 subject to any orders passed by the relevant forum even prior to the expiry of such date.
- iv. The aforesaid directions will be subject to any orders to the contrary passed or may be passed by the Supreme Court in any individual matter.
- v. In case of extreme hardship on account of the continuation of any interim order, the party aggrieved may apply for the discharge or discontinuation thereof before the relevant Court.

- vi. Interim orders or directions which are not of a limited duration shall continue to operate and remain unaffected by this order.
- vii. Encroachment drives or measures taken for recovery of revenue or proceedings relating to demolition and eviction should, as far as practicable, not be undertaken by the State and, temporarily kept in abeyance, except with previous advise of learned Advocate-General.
- viii. Since it may not be possible to produce remand prisoners for extension of remand either under Sections 167 or 309 of the Code of Criminal Procedure before the various Courts in the State, either in person or via video-conference, all remands stand extended till June 30, 2021 without prejudice to the right of the arrested person to apply for bail in the meantime.

The matter will be reviewed on June 29, 2021.

(S.B., CJ.) (S.K.R., J.)  
17.05.2021

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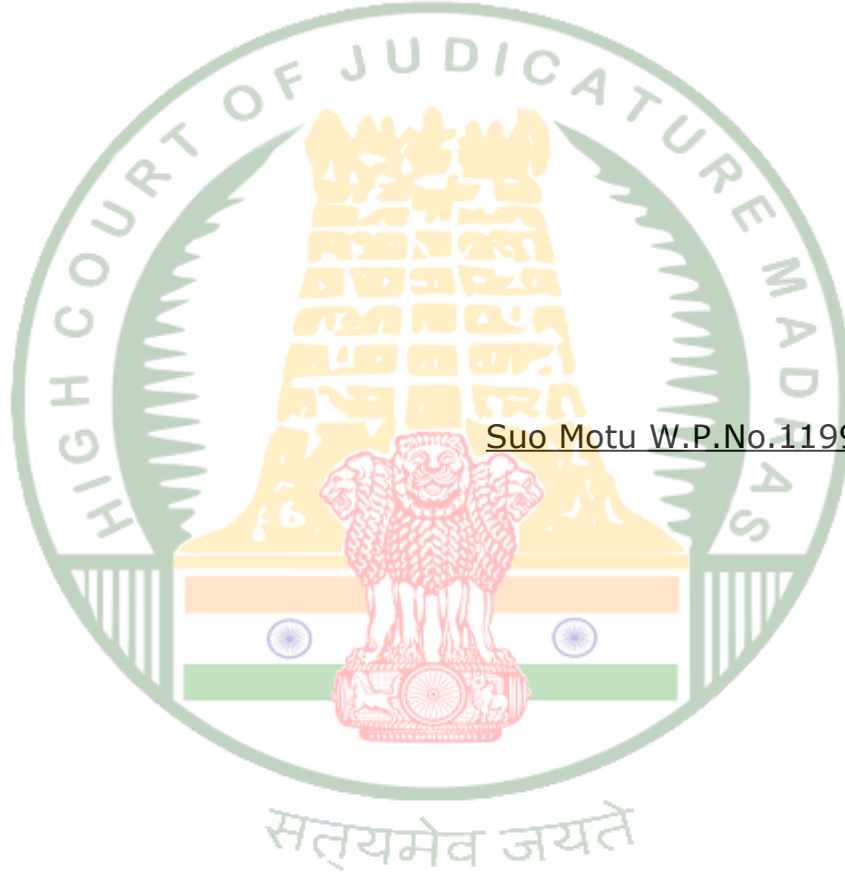


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