

WP No.16949 of 2019

N.ANAND VENKATESH.,J

The case in W.P.No.16949 of 2019 was specially posted today before me at my residence pursuant to the permission granted by the Hon'ble Chief Justice. The time was fixed for hearing at 5.00 P.M.,

2. The issue pertains to grant of Police Protection to an Association for conducting the elections. I had gone to Vellore to attend a function and I received a phone call from the Registrar (Judicial) at about 11.55 a.m and I was informed that the Hon'ble Chief Justice had given permission to move an urgent case at my residence. I immediately cut short my visit and started getting back to Chennai. In the meantime, I informed the Registrar (Judicial) that the case can be fixed for hearing at 5.00 p.m at my residence.

3. This case was already given a lot of hype in the Media and the news regarding the time fixed for hearing had spread by then. While my car was nearing Anna University at about 4.20 p.m., I received a phone call in my mobile (Mobile No.9444014881) from one Mr.Anantharaman (Mobile No.98407 31851). This person is well known to me and therefore, I started the conversation in a casual manner. All of a sudden, he started talking to

me regarding the Nadigar Sangam Association case and told me that Mr.Ishari K Ganesh is interested in this case and he wants the case to be adjourned by a couple of weeks in order to ensure that the elections are not conducted on 23.06.2019 and in the meantime, something can be done to postpone the elections. This came as a bolt from the blue to me and without reacting I disconnected the phone call. By the time I reached home, It was almost around 4.45 p.m and I noticed a lot of police force and media people assembling near the residence. As I was about to enter the lift to reach my flat situated in the second floor, I again saw Mr.Anantharaman near the lift and he again insisted that the case must be adjourned by two or three weeks and that Mr.Ishari K Ganesh has done a lot of help to his organization when they were in crisis. I immediately asked him to leave and proceeded to my house. I was later informed by my wife and son that the phone call was made to me by Mr.Anantharaman, sitting inside my house.

4. This in my view is a shocking state of affairs where a party interested in the litigation, and who is also said to be a contestant in the election, had the audacity to approach a Judge of this Court and seek for a favour. Mr.Ishari K Ganesh wanted to influence the course of proceedings in the writ petition through Mr.Anantha Raman and thereby both of them have interfered with the due course of the Judicial proceeding which tends to

obstruct the administration of justice. A Criminal contempt has been committed on the face of the High Court by both the above said persons.

5. This Court therefore initiates suo-motu criminal contempt against Mr.Ishari K. Ganesh and Mr.Anantharaman and frames the following charges :-

a). Mr.Ishari K Ganesh through Mr.Anantharaman made a phone call at 4.20 p.m to the Judge who was going to hear the case at 5.00 p.m from his residence and requested the Judge to adjourn the case by a couple of weeks in order to ensure that the elections are not conducted on 23.06.2019. This act on the face of it amounts to interfering with the due course of the judicial proceedings and tends to obstruct the administration of justice and thereby is a criminal contempt of the Court.

b). In continuation to the above act, Mr.Anantharaman again met the Judge at about 4.45 pm in his residence and again insisted that the case must be adjourned by two or three weeks and that Mr.Ishari K Ganesh had done lot of help to the organization where he is working, during financial crisis and therefore, he has to return the favour by helping him in getting the elections postponed. This act also amounts to interfering with

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the due course of the Judicial Proceedings and tends to obstruct the administration of justice and thereby is a criminal contempt of the Court, on the face of it.

c). For the above said charges why this Court should not punish Mr.Ishari K Ganesh and Mr.Anantharaman for having committed Criminal Contempt of Court ?

6. Issue statutory notice to both Mr.Ishari K.Ganesh and Mr.Anantharaman returnable by four weeks, along with a copy of this order.

7. The Registry is directed to number the suo-motu Contempt proceedings and post it before the Hon'ble Division Bench which has been assigned the portfolio of hearing Criminal Contempt.

22.06.2019

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Internet : Yes /No

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