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Cont P No.1248 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated :20.06.2025

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THE HONOURABLE Ms. JUSTICE P.T. ASHA

Cont.P.No.1248 of 2025
and Sub Appln(OS)No.703 of 2025

High Court of Madras,
Chennai 600 1014

... Petitioner

VS-

1. Krishnaveni
2. Markandan
3. Subramani

...Respondents

Prayer: Suo Motu Contempt Proceedings **filed under Section 14 of the Contempt of Courts Act, 1971** initiated against the Contemnors herein as per the Order of the High Court, dated 04.04.2025 made in Tr.C.M.P.No.367 of 2025 and C.M.P.No.8249 of 2025.

For Petitioner : Mr.V.Chandrasekaran

For Respondents : Mr.S.Sugendran,
Additional Public Prosecutor

**ORDER**

As directed by this Court dated 04.06.2025, the non-bailable warrant has been executed and the Contemnors were produced before this Court today by Mr.N.Palanivel, Inspector of Police, Arakkonam Taluk Police Station, Ranipet District. The Inspector of Police, Arakkonam has filed an affidavit dated 20.06.2025 in which he has stated that, though they had complied with the Non-Bailable warrant issued by this Court by securing the Contemnors and they had been brought to the Court to be produced before this Court, however on account of the actions of the counsel, Mr.R.Balasubramaniam, who had appeared for the petitioners in the Tr.C.M.P, they are unable to produce them before this Court on 18.06.2025. In the affidavit, it has been stated as follows:

"However, a serious ruckus was created by Thiru. Balasubramanian, Advocate, who is stated to be appearing for the contemnors in a related matter (Transfer CMP), and he obstructed the officials in the discharge of their duties in complying with the direction of the Hon'ble Court.

4. I humbly further submit that subsequently the said advocate seized the Aadhaar Cards of the



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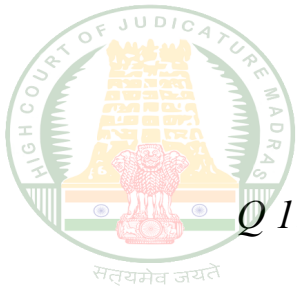


contemnors and refused to return them, thereby preventing identification and movement of the secured persons into the court premises. The Advocate was politely requested to refrain from interference, and allow the public servants to perform their official duties. He adamantly instructed the contemnors not to obey the words of the police. Despite polite and repeated plea by me and my team, Tr.Balasubramanian (Advocate) continued to intimidate the contemnors, mislead them regarding this Hon'ble Court order and prevented them from complying with this Hon'ble Court's order. Besides, the said Advocate abused the police officers on duty, with filthy language."

2. Therefore, from a mere reading of the above affidavit, it is amply evident that the counsel has prevented a Government servant/Police official from discharging his duties.

3. This Court had raised the following questions to the petitioners to which the following answers were given.

(The questions were explained to the petitioner by the Court Interpreter in the Tamil language and and their answers given in Tamil have been recorded in English).



Q 1: Why did you not come to Court on 18.06.2025?

Ans:

Krishnanveni: The lawyer took our Aadhaar Cards to get pass, we were asked to wait and therefore, we could not come to Court.

Subramanani: We were asked to wait there. We were told that the High Court Magistrate asked us to be present before the Court. My wife was also admitted in hospital. All the three of us came here and waited. Lawyer told us we would not be allowed to go inside and therefore, we did not come inside the Court.

Markanan- I had BP. I was sitting under the tree. No one called me. They were talking among themselves. I did not come to Court.

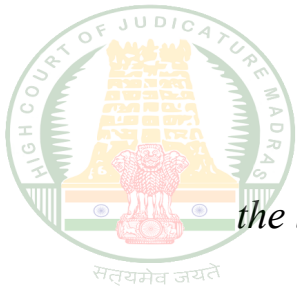
Question No.2: When the Court staff came and asked you to come to Court, why did you not come?

Ans:

Krishnaveni – Lawyer told us that he would come and take us to Court.

Subramani - Lawyer asked us to wait and said he would take us to Court.

Markandan – I was asked to come along yesterday. I was sitting under



the tree.

Question No.3: What did Pichandi (S/O Markandan) come and tell you when he came back from the Court?

Markandan – He informed us that they would come early in the morning and bring us to Court. Later adds: He did not say anything.

Question No.4: What case did you file before this High Court?

Ans:

Krishnaveni and Subramani : We have filed a case regarding our property dispute.

Question No.5 : Did you file any application for transfer?

Ans:

Krishnaveni, Markandan and Subramani: We did not file any such application.

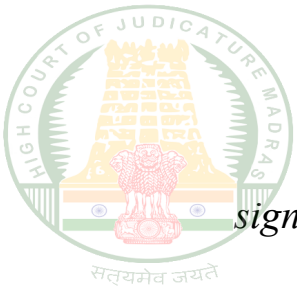
Subramani adds: Arguments are going on there.

Question No.6: (Vakalat was shown to all the three petitioners)

Are these your signatures?

Ans: Yes. (Krishnaveni identifies the thumb impression as hers. The 2nd and 3rd petitioner admit that the signatures in the affidavit are theirs.)

Question No.7 (Affidavit is shown to the 2nd petitioner) Is this your



signature?

Ans: Yes.

Question No.8: Who prepared this affidavit?

Ans (Markandan): My lawyer, R.Babasubramanian has prepared the affidavit.

Question No.9 : Do you know English?

Ans (Markandan): No.

Question No.10: On what basis have you filed this affidavit?

Ans (Markandan) : Since our land was taken away, I filed this affidavit.

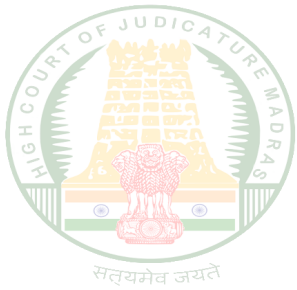
Question No.11: Are you aware of the contents of the affidavit?

Ans (Krishnaveni, Markandan and Subramani) : No.

Question No.12: Is it correct to state that you have signed this affidavit prepared by your lawyer without knowing its contents?

Ans (Markandan) : Yes.

(The deposition was explained to the peitioners in Tamil and they have signed it after admitting the contents to be correct)

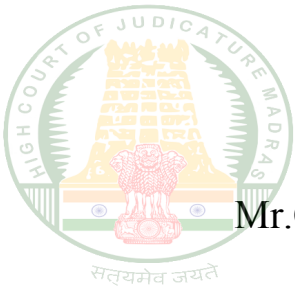


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4. Mr.Markandan, the 2nd Contemnor who appeared before this Court would submit that he has signed the affidavit filed in support of the Tr.C.M.P on behalf of the other petitioners also. He would further submit that he has signed the affidavit, which is in the English language, without understanding what was written therein and the contents were not explained to them because their counsel asked them to sign in the affidavit. That apart, on enquiring with the contemnors, it appears that they are not even aware about the fact that they have filed the Tr.C.M.P. They are under the impression that what they have filed is a case seeking return their lands.

5. From the above, it is clear that the contents of the affidavit are also a script prepared by the counsel which makes it all the more shocking to this Court, considering the language that has been used not only against the Judicial Officer of the Labour Court but also against the Judges of this Court.

6. Considering the fact that a member of this noble profession has acted in such a fashion which has brought discredit to the profession,



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Mr.C.K.Chandrasekar, learned standing counsel for the Bar Council of Tamil Nadu and Puducherry present before this Court is directed to take necessary steps to initiate proceedings against Mr.R.Balasubramanian for the aforesaid acts.

7. Today once again, Mr.R.Balasubramanian, Counsel had abused and cursed the Court. This has been recorded and a copy of the same in the USB drive is attached to this order. The CISF has also given a copy of the recording.

8. Therefore, the following directions are issued:

i) The Non-Bailable Warrant issued by this Court on 04.06.2025 is re-called.

ii) The Registrar General, High Court, Madras shall forward a copy of the order along with the copy of the affidavit filed by the Inspector of Police, Arakkonam to the Bar Council of Tamil Nadu and Puducherry to initiate action against



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***Mr.R.Balasubramanian, (a copy is already given to the
counsel for the Bar Council)***

***iii) The Inspector of Police, Arakkonam shall file
a complaint and initiate action against
Mr.R.Balasubramanian, Counsel who had prevented
the public servant (Police) from discharging their duty
and producing the Contemnors before this Court on
18.06.2025.***

9. From examining the contemnors, it is evident that they are not aware about the contents. They have also tendered their unconditional apology. Therefore, since the contents of the affidavit are totally unknown to the Contemnors and in the light of their unconditional apology, they have purged themselves of the Contempt.

10. With the above directions, the Contempt Petition is closed. Consequently, Sub application is ordered.



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11. A copy of the affidavit filed by the Inspector of Police, Arakkonam and the deposition of the contemnors have been handed over to Mr.V.Chandrasekaran, learned counsel for the petitioner / High Court and Mr.C.K.Chandrasekar, learned Standing Counsel for Bar Council of Tamil Nadu and Puducherry. The unconditional apology letters of the Contemnors and the USB drives shall form part of the record.

20.06.2025

Index: Yes/No

Speaking order/non-speaking order

Neutral Citation: Yes/No

srn

Encl: USB Drives

Issue order copy on 20.06.2025

To

1. Mr.V.Chandrasekaran,
Counsel for High Court, Madras

2. The Secretary,
Bar Council of Tamil Nadu and Puducherry,
High Court Campus, Chennai.

3. Mr.C.K.Chandrasekar,
Standing Counsel for Bar Council of
Tami Nadu and Puducherry,

4. The Public Prosecutor,
High Court, Madras.



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