VERDICTUM.IN

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Enrolment No. D/1993/07

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TO,

The Hon'ble Chief Justice of India
Supreme Court of India
New Delhi – 110001

SUBJECT: COMPLAINT-CUM-REPRESENTATION SEEKING CONSIDERATION OF SUO MOTO CRIMINAL CONTEMPT PROCEEDINGS AND APPROPRIATE ACTION IN ACCORDANCE WITH LAW REGARDING THE PUBLICATION BY CONGRESS KERALA (@INCKERALA), THE REPORTED POLITICAL DEMONSTRATION AND SLOGAN-SHOUTING ON 12 OCTOBER 2026, AND SERIOUS CONCERNS REGARDING THE SECURITY OF THE SUPREME COURT OF INDIA

MOST RESPECTFULLY SUBMITTED:

I, Vineet Jindal, Advocate, most respectfully submit this complaint-cum-representation seeking consideration of appropriate action in accordance with law concerning a public social-media publication by Congress Kerala (@INCKerala), together with the reported political demonstration and associated slogan-shouting in connection with the premises of the Hon'ble Supreme Court of India on 12 October 2026. The present representation also seeks examination of the security implications of the reported events, having regard to the importance of maintaining the safety, security, dignity and orderly functioning of the highest constitutional court of the country.

That Congress Kerala (@INCKerala), through its official social-media account, reportedly published a statement directly addressing the Hon'ble Chief Justice of India, Justice Surya Kant, in the following words: **"Dear Surya Kant, If law and order is not your domain, resign now. We will find your replacement who can handle it."** A screenshot of the said publication is enclosed with this representation for the consideration of the Hon'ble Court.

That the aforesaid publication expressly calls upon the incumbent Chief Justice of India to resign and further states that the political organisation concerned would find a replacement capable of handling the issue of law and order. The statement, having been published by a political organisation through a public social-media platform and directed at the holder of the highest judicial office in the country, raises a question as to whether, when examined in its complete factual and legal context, it remains within the bounds of permissible political criticism or warrants consideration under the law relating to criminal contempt of court.

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That the independence of the judiciary is an essential feature of India's constitutional framework. The Supreme Court of India performs an indispensable role in protecting constitutional rights, upholding the rule of law and adjudicating disputes independently of political considerations. The office of the Chief Justice of India is a constitutional judicial office and cannot be treated as one whose continuance is subject to the approval or displeasure of any political organisation.

That the right to freedom of speech and expression includes the right to criticise judicial decisions, observations and institutional conduct within the limits prescribed by the Constitution and applicable law. However, legitimate criticism must be distinguished from conduct that may undermine the authority of the Court or interfere with the administration of justice. The distinction must be assessed in the light of the language used, its context, the circumstances of publication and its actual or reasonably apprehended effect. Accordingly, I respectfully request that the aforesaid publication be examined in its complete context to determine whether any action is warranted under the applicable provisions of law.

That I further bring to the attention of the Hon’ble Chief Justice of India the reported political demonstration and slogan-shouting by Congress leaders and other opposition leaders in connection with the Supreme Court premises on 12 October 2026, reportedly involving Rahul Gandhi and other political functionaries. The reported events raise concerns regarding the preservation of the dignity, security and orderly functioning of the Supreme Court premises. The Court is a constitutional institution where Hon’ble Judges, advocates, litigants, court staff, security personnel and other authorised persons must be able to discharge their respective duties without unlawful obstruction, intimidation or disruption.

That any demonstration in connection with the Supreme Court must be examined in the light of applicable law, lawful restrictions, security arrangements and the actual location and nature of the activity. In particular, it is necessary to ascertain whether the demonstrators remained in a permitted public area, whether any restricted or prohibited area was entered without authorisation, whether lawful security instructions were complied with, and whether the movement or functioning of the Court, advocates, litigants or court staff was obstructed. The mere holding of a peaceful demonstration, the raising of political slogans at a lawful location or the presence of political leaders in the vicinity of the Supreme Court does not, by itself, establish contempt of court or any other offence. Nevertheless, where reliable material indicates possible unauthorised entry, violation of lawful restrictions, obstruction of official duties or interference with the administration of justice, the matter warrants examination by the competent authority in accordance with law.

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That the Supreme Court of India is a constitutional institution of exceptional national importance, functioning within a secured environment governed by access-control arrangements, security protocols and restrictions intended to protect the Hon'ble Judges, judicial officers, advocates, litigants, court staff and all other persons lawfully present within its premises. The reported events of the evening of 12 October 2026, involving a political demonstration and slogan-shouting in connection with the Supreme Court premises, raise serious concerns requiring verification as to whether the prescribed security arrangements were maintained and whether any security protocol was violated.

That the security of the Supreme Court cannot be considered merely a matter of routine crowd management. The maintenance of effective access control, protection of restricted areas, compliance with lawful security instructions and prevention of unlawful interference with the Court's functioning are essential to the safe and orderly administration of justice. If any person entered a restricted or prohibited area without authorisation, obstructed security personnel, breached an applicable security restriction or interfered with the movement of authorised persons, the circumstances would warrant examination and such action as may be permissible under the applicable law. Any such conclusion, however, must be founded on verified evidence and the actual facts of the incident.

That the reported events therefore merit an objective examination to determine whether there was any deficiency in perimeter security, access control, crowd management or the implementation of applicable restrictions. The examination should also ascertain whether the relevant security personnel followed the prescribed protocols and whether any additional safeguards or corrective measures are necessary to prevent a recurrence of any established deficiency. I respectfully submit that the preservation of the security and institutional dignity of the Supreme Court is a matter of public importance and that any credible allegation of a breach of its security arrangements should be assessed promptly, objectively and in accordance with due process, without presuming the guilt of any individual or organisation before the relevant facts are established.

That, in order to ascertain the true and complete facts concerning the reported events, I respectfully request that the competent authority consider preserving and examining the relevant material, wherever available, including the original social-media publication by Congress Kerala (@INCKerala), its URL, date and time of publication, account details, surrounding statements and available electronic records; relevant CCTV footage covering the entrances, access-controlled areas and other locations connected with the reported demonstration; entry registers and access-control logs concerning entry into restricted areas, if any; security deployment records, incident reports, instructions issued to security personnel and records of any reported violation of security arrangements;

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photographs, verified video recordings and other reliable audiovisual material; records concerning any permission granted for the demonstration, restrictions communicated to the organisers and directions issued by the competent authorities; and any other material considered necessary to determine whether unlawful obstruction, unauthorised access, a security breach or interference with the administration of justice occurred. Preservation of such material is important to ensure that any subsequent examination is based on reliable evidence rather than unverified reports, incomplete recordings or partisan accounts of the incident.

That Article 129 of the Constitution of India declares the Supreme Court to be a Court of Record and confers upon it the power to punish for contempt of itself. Section 2(c) of the Contempt of Courts Act, 1971 defines criminal contempt to include the publication of any matter, or the doing of any other act whatsoever, which scandalises or tends to scandalise, or lowers or tends to lower, the authority of any court; prejudices or interferes with judicial proceedings; or interferes with or obstructs the administration of justice in any other manner. The impugned social-media publication and any independently established unlawful or disruptive conduct connected with the reported demonstration may be examined, if the Hon'ble Court considers it appropriate, to determine whether the ingredients of criminal contempt are prima facie disclosed. Such examination must take into account the constitutional protection afforded to legitimate criticism, the complete context of the publication and the applicable legal threshold.

That Section 13(a) of the Contempt of Courts Act, 1971 provides that no court shall impose a sentence for contempt unless it is satisfied that the contempt is of such a nature that it substantially interferes, or tends substantially to interfere, with the due course of justice. Any consideration of contempt proceedings must therefore remain consistent with this statutory safeguard.

That in *P.N. Duda v. P. Shiv Shanker*, (1988) 3 SCC 167, the Hon'ble Supreme Court examined the relationship between freedom of expression, criticism of the judiciary and the law of contempt. The principles discussed in that judgment underscore the importance of protecting fair criticism while preserving the authority of courts and the proper administration of justice. The impugned publication may accordingly be assessed in light of the applicable principles laid down by the Hon'ble Supreme Court.

That Section 15 of the Contempt of Courts Act, 1971 prescribes the procedure for cognizance of criminal contempt in cases other than contempt in the face of the Supreme Court or a High Court, including action initiated by the Court on its own motion, subject to the applicable statutory requirements. The present complaint-cum-representation is submitted for the consideration of the Hon'ble Chief Justice of India with a respectful

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request that the matter be placed before the appropriate Bench or otherwise dealt with in accordance with the applicable constitutional, statutory and procedural framework, if considered warranted. This representation is not intended to bypass any statutory consent requirement, procedural requirement or applicable rule governing the institution of a formal motion for criminal contempt. The request is confined to consideration of whether the material disclosed warrants further examination or the initiation of appropriate proceedings in accordance with law.

PRAYER

In view of the facts and circumstances stated hereinabove, I most respectfully request the Hon'ble Chief Justice of India to consider taking the present complaint-cum-representation on record for consideration in accordance with law; examine whether the publication made by Congress Kerala (@INCKerala), when viewed in its complete factual and legal context, prima facie warrants consideration under Section 2(c) of the Contempt of Courts Act, 1971; and consider, if deemed appropriate, the initiation of **suo moto** proceedings under Article 129 of the Constitution of India read with the applicable provisions of the Contempt of Courts Act, 1971 and the relevant procedural rules.

I further respectfully request that the reported political demonstration and slogan-shouting in connection with the Supreme Court premises on the evening of 12 October 2026, reportedly involving Rahul Gandhi and other political leaders, be examined by the competent authority to ascertain the actual location, nature and circumstances of the events. I request that the competent authority examine whether any restricted area was entered without authorisation, any lawful security instruction was violated, any obstruction to the functioning of the Court occurred, or any interference with the movement of advocates, litigants, judicial officers or court staff was caused.

I further request that the security arrangements applicable to the Supreme Court premises on 12 October 2026 be examined, including access control, perimeter security, crowd management and compliance with prescribed protocols, to ascertain whether any security breach or deficiency occurred. I respectfully request that relevant CCTV footage, access-control records, security deployment records, incident reports, photographs, verified video recordings and electronic records be preserved and examined, wherever available, so that material evidence is not lost or destroyed.

I further request that appropriate action under the applicable law be considered if any unlawful conduct, contempt of court or violation of security restrictions is established through reliable evidence and due process. I also request that such other orders be passed or action be taken as may be considered appropriate in the interests of justice, the rule

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of law, the security of the Supreme Court and the preservation of public confidence in the independence and dignity of the judiciary.

I respectfully submit that the independence, authority, security and orderly functioning of the Supreme Court of India are essential to the constitutional governance of the country. Political expression and legitimate criticism remain protected within the bounds of the Constitution and the law; however, any conduct established to unlawfully interfere with the administration of justice or violate applicable security restrictions warrants appropriate consideration by the competent authority. The present representation is therefore submitted in good faith, in the interests of justice and institutional security, with a respectful request that the allegations and concerns raised herein be examined objectively on the basis of verifiable evidence and that such action as may be warranted be considered strictly in accordance with law.

Respectfully submitted,

Vineet Jindal
Advocate

Date: 13 October 2026
Place: New Delhi

ENCLOSURES:

1. Screenshot of the impugned post published by Congress Kerala (@INCKerala) on X.
2. URL and publication details of the original post, if available.

https://x.com/inckerala/status/2109604529557970991?s=46&t=m4r-7NBOSPLlFQSMuIM8Ow

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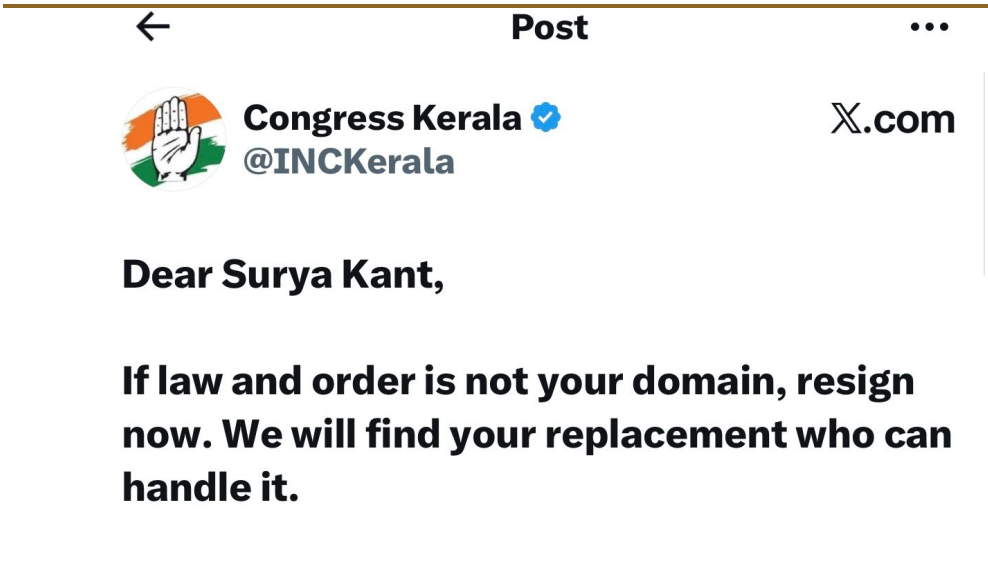

https://x.com/livelawindia/status/2109646125368315927?s=46&t=m4r-7NBOSPLlFQSMuIM8Ow