

Cont.P.Nos.985 & 986 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Reserved on : 02.07.2025

Pronounced on : 08.07.2025

CORAM :

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

Cont.P.Nos.985 & 986 of 2025

P.Vikash Kumar

... Petitioner
in both petitions

Vs.

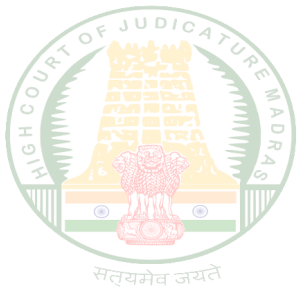
A.Mohandass,
Advocate,
No.71, Law Chambers,
High Court Buildings,
Chennai – 600 104.

... Contemnor
in both petitions

Contempt Petitions filed under Section 11 of the Contempt of Courts Act, 1971, to punish the respondent for daring, wilful and wanton violations of the orders of this Court in C.R.P.Nos.1773 & 1775 of 2024, dated 08.11.2024.

For Petitioner : Mr.Kushal Kumar Sancheti
in both petitions

For Respondent : Mr.G.S.Mani
for Mr.G.Anandaraj



WEB COPY

COMMON ORDER

These Contempt Petitions arise out of breach of undertaking given by the contemnor before this Court to vacate the subject premises on or before 31.05.2025 and also for disobeying the orders of this Court in C.R.P.Nos.1773 & 1775 of 2024, dated 08.11.2024.

2.Before delving into these Contempt Petitions, the following facts are necessary for the disposal of these Contempt Petitions :

2.1.The contemnor is a practising Advocate of Madras High Court and other Courts. He is also said to have held many posts in the Bar Association. Rent control proceedings were initiated against him by the contempt petitioner, in R.C.O.P.Nos.1317 & 1318 of 2015 on the file of the XIII Court of Small Causes, Chennai, for eviction. In the counter and additional counter filed by the contemnor in the rent control proceedings, his induction as a tenant to the premises, namely, Ground Floor, First Floor and Second Floor, is not disputed by the contemnor. Be that as it may, the contemnor has not conducted the rent control proceedings and he tried to protract the proceedings to the maximum extent. He has filed several



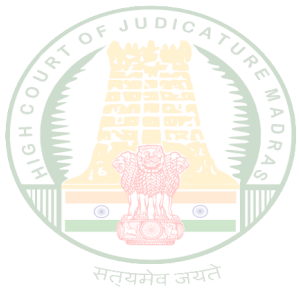
Cont.P.Nos.985 & 986 of 2025

WEB COPY

litigations and also applications, one after another, to protract the rent control proceedings filed by the petitioner. Factual aspects in this regard have been lucidly recorded by this Court in C.R.P.(NPD) Nos.1773 & 1775 of 2024, by order dated 08.11.2024, and in fact, in Para No.19 of the said order, this Court has recorded the number of applications filed in the rent control proceedings by the contemnor to delay and protract the proceedings, apart from several litigations.

2.2.It is relevant to note that the conduct of the contemnor has been deprecated not once, but on various occasions by various learned Single Judges of this Court. Certain observations made by this Court in various proceedings against the conduct of the contemnor, are relevant to this contempt proceedings also. Therefore, this Court extracts the same as under :

2.2.1.In one of the proceedings initiated by the contemnor before the Division Bench of this Court in Rev.Appl.SR.Nos.67110, 67105 & 67143 of 2017, this Court, vide judgment dated 01.08.2018, recorded the following findings :



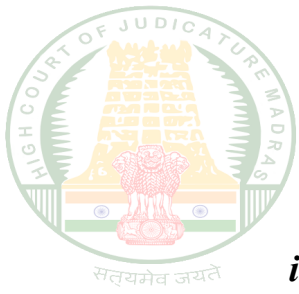
WEB COPY

“15. Therefore, this Court even otherwise does not see any merit in the grounds raised in the review petition as the order passed by the Division Bench is comprehensive and take care of the interest of the parties. In any event, in the guise of filing the review petition, the petitioner is only attempting to wriggle out the instructions presumed to be given to his Advocate at the time when original side appeals were disposed of. Moreover the grounds as raised in the review petition do not satisfy the parameters laid down in Order 47 Rule 1 CPC and also various rulings of the Court on the subject matter. Therefore, this Court is of the considered view that the present review petition is nothing but, another attempt by the review petitioner from protracting the pending litigation to subserve his interest.”

(emphasis supplied)

2.2.2. In earlier Civil Revision Petitions filed by the contemnor, in C.R.P.(PD) Nos.716 & 717 of 2021, this Court, by common order dated 20.04.2021, has recorded as follows :

“3. It is very unfortunate that by taking advantage of his position as an advocate, the petitioner appears to be bullying both the Courts below. Now, claiming himself as



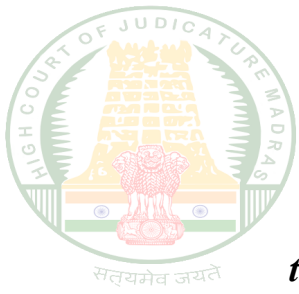
WEB COPY

innocent and ignorant, he has again come before this Court seeking indulgence.

8.The Revision Petitioner is obviously squatting on the property without giving any respect to the very legal process, the sanctity of which, he had taken an oath to uphold at the time of his enrolment.

12.It is to be stated that P.W.1 was examined in chief on 14.11.2016 and from 28.11.2016 onwards till this date, the witness has not been cross examined.

*14.I sincerely wish that both the Authorities before whom the petitions were filed and who rejected the case of the petitioner, seeking time for cross examination from the year 2016, had closed the matter years before, rather than permitting the petitioner to grow in confidence and over confidence that he can get any order which he seeks from the Courts of law. It must be kept in mind that he has no rights to dictate how the Court proceedings should be conducted. As an advocate, an additional duty is cast on the petitioner to be a responsible litigant and also be an example to other litigants. The attitude of the revision petitioner in bullying the Court proceedings would only lead other litigants to believe that by such bullying tactics, adjournments can be obtained. **That was***



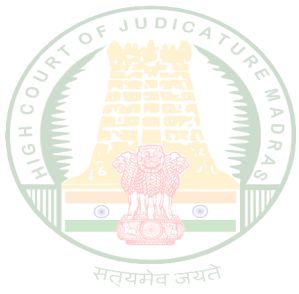
WEB COPY

the conduct which the petitioner had been exhibiting for the past nearly 5 years from the date when cross examination was originally posted on 28.11.2016.

*18.Once again, on 06.08.2018, the learned Rent Controller again granted opportunity to the present petitioner to lead the evidence. At that stage, the petitioner herein had filed MP.Nos.324 & 326 of 2018 to reopen the evidence and recall P.W.1. Both the applications were allowed on 27.08.2018 and the evidence was reopened for cross examination of P.W.1. As is the practice of the present revision petitioner, he again did not cross examine P.W.1. **This Court is really ashamed of the conduct of the present revision petitioner who claims to be a honourable member of the Bar.** As a matter of fact, this is an attitude for which the entire judiciary has to be ashamed of. He did not cross examine P.W.1. On 30.11.2018, he was again set exparte.*

28.I fervently hope that Mr.B.K.Sreenivasan, learned counsel will advise the petitioner regarding his responsibility as a litigant and as an Advocate. I hope that sense and sensibility would prevail.”

(emphasis supplied)

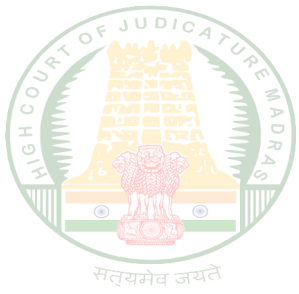


WEB COPY

The above findings clearly indicate that, even during pendency of the proceedings, the conduct of the contemnor is to, somehow or the other, protract the proceedings and he has shown scant respect to the Court proceedings. This Court has clearly recorded that he is squatting over the property without giving any respect to the very legal process, the sanctity of which, he had taken an oath to uphold at the time of his enrollment.

2.2.3. Similarly, in a transfer application in Tr.O.P.No.25 of 2021, this Court, by order dated 25.08.2021, has recorded the following :

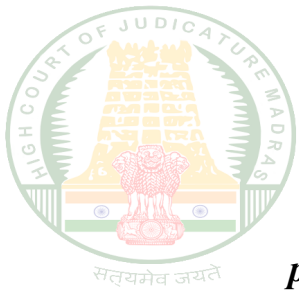
“5.It is also brought to the notice of this Court by the learned counsel for the respondents that there are at least 24 proceedings which have been initiated by the petitioner against the respondents. He submitted that the petitioner, by suppressing the petition for extension of time for paying costs which was ordered in C.M.P. No.8863 & 8864 of 2021, filed SLP. Nos.9680 & 9681 of 2021, before the Hon'ble Supreme Court. Learned counsel for the respondents submitted that these previous proceedings clearly show that the intention of the petitioner is just to protract the proceedings by not allowing the present RCOP's to reach its logical conclusion.



WEB COPY

6.The narration of sequence of events shows that the present litigation has been continuing from the year 2015. Prima facie, it shows that the petitioner is not cooperating with the Court for proceeding with the enquiry. He has taken all steps to protract the proceedings. In fact, some scathing and adverse remarks have been passed against the petitioner in C.R.P. No.716 & 717 of 2021. This Court is not inclined to repeat that again. Suffice it is to say that the petitioner is taking advantage of his position as an advocate and has been protracting the proceedings. It is not as though the learned Rent Controller has some personal interest in these R.C.O.P's. These R.C.O.P's. are of the year 2015 and comes under category of 'More than five year old cases. The Courts are expected to give priority in disposal of the old cases, especially the cases which are pending for more than five years. There is a specific direction given to the learned Rent Controller in C.R.P. Nos.708 & 709 of 2017, for disposing the case within three months from the date of receipt of a copy of that order. The order was passed on 07.03.2017. Till now, the R.C.O.P's. are not yet disposed. It was mainly due to the attitude of the petitioner in protracting the proceedings.

7.This transfer petition, in the view of this Court, is yet another attempt on the part of the petitioner to further



WEB COPY

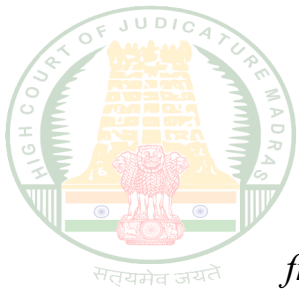
protract the proceedings by filing petitions against the learned Rent Controller.”

(emphasis supplied)

2.3.It is worthy to note that, besides burdening the landlord with avalanche of cases, the contemnor has not even spared the counsel who appeared for the landlord who was also indicted for a case under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

2.4.This Court, while disposing of the Civil Revision Petitions in C.R.P.(NPD) Nos.1773 & 1775 of 2024 challenging the eviction order passed by the Rent Controller which was confirmed by the Rent Appellate Court, has passed the following order on 08.11.2024, by invoking the powers under Article 227 of the Constitution of India :

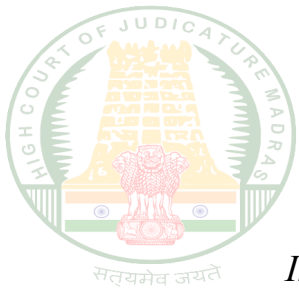
“38.Taking note of the above circumstances, this Court cannot shirk its responsibility while exercising powers under Article 227 of the Constitution of India. Even if this revision petition stands just dismissed, no purpose will be served. In India, in our experience, the real litigation starts only when the execution petition is filed. Having dragged the landlord to run



WEB COPY

from pillar to post and subjected to various litigations all these years in a rent control proceedings, considering the nature of the attitude and conduct of the member of Bar who also used a caste as a weapon not only against the landlord but also against the lawyer who appeared for the landlord, this Court is of the view that if the parties are once against relegated for execution proceedings, there is every likelihood that the revision petitioner will resort all sort of proceedings to thwart delivery of possession. Thus, this Court exercising powers under Article 227 of the Constitution of India direct the revision petitioner to vacate the premises within a period of two months from today. This order has been passed taking note of the conduct of the revision petitioner all these years in various litigations for the ends of justice in the Hari Vishnu Kamath vs. Syed Ahmed Ishaque and others reported in (1954) 2 SCC 881, the Hon'ble Supreme Court held that under Article 227 of the Constitution of India, further directions can be issued by High Court.

39. Similarly, a Division Bench of this Court in the case of Ondimuthu @ N.O.Muthu vs. Arulmigu Meenakshi Sundareswarar Devasthanam, Madurai reported in 2018 (6) CTC 709 has held that when there is a delay in protracting the execution proceedings, delivery of the property can be ordered by exercising powers under Article 227 of the Constitution of

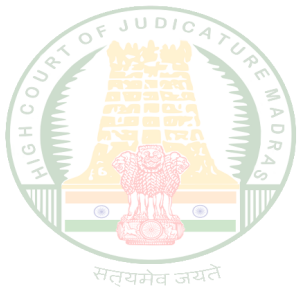


WEB COPY

India.”

2.5.By recording so, this Court directed the contemnor to vacate the premises within a period of two months and also directed the Commissioner of Police to execute the orders of this Court for eviction of the contemnor and hand over vacant possession to the landlords.

2.6.Challenging the above delivery order passed by this Court in C.R.P.(NPD) Nos.1773 & 1775 of 2024, dated 08.11.2024, Special Leave Petitions in S.L.P.(C) Nos.31055 & 31056 of 2024 were filed by the contemnor before the Hon'ble Supreme Court. The said Special Leave Petitions have been dismissed by the Hon'ble Supreme Court by order dated 06.01.2025. While dismissing the Special Leave Petitions, the Hon'ble Supreme Court extended the time to vacate the premises till 31st May, 2025, subject to the contemnor's filing an usual undertaking in this regard before the trial Court within two weeks from the date of the order. The Hon'ble Supreme Court also directed the contemnor to handover vacant and peaceful possession to the landlord on or before 31st May, 2025.



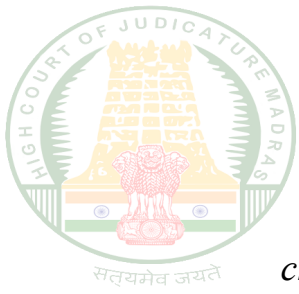
WEB COPY

2.7.Despite such directions by the Hon'ble Supreme Court to file an undertaking before the trial Court within two weeks from the date of order, i.e., 06.01.2025, no affidavit of undertaking has been filed by the contemnor before the trial Court. This, in the view of this Court, is a first disobedience which was made deliberately.

3.When the matter stood thus, the landlord has filed the present Contempt Petitions. When the Contempt Petitions were taken up for hearing on 07.04.2025, the order of the Hon'ble Supreme Court in the Special Leave Petitions, dated 06.01.2025, was brought to the notice of this Court, and therefore, this Court passed the following order on 07.04.2025 :

“These contempt Petitions have been filed for violation of the Order of this Court passed in CRP.Nos.1773 & 1775 of 2024 dated 08.11.2024.

2.This Court, taking note of the delaying tactics of the respondent and several proceedings have been initiated by the member of a Bar, by invoking Article 227 of Constitution of India directed eviction of premises within a period of two months from the date of Order. The said Order has been



WEB COPY

challenged before the Honourable Supreme Court in SLP Nos.31055 & 31056 of 2024 wherein the Honourable Supreme Court has passed the following Order :

“We are not inclined to interfere with the impugned order(s) passed by the High Court. Accordingly, the Special Leave Petitions are dismissed.

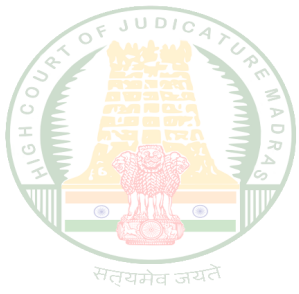
However, learned counsel for the petitioner requested that some time may be granted to the petitioner to vacate the premises in question in order to find alternate accommodation.

Considering the facts and circumstances of the case, we grant time to the petitioner to vacate the premises till 31st May, 2025 subject to the petitioner’s filing the usual undertaking in this regard before the Trial Court within two weeks from today. The petitioner shall handover vacant and peaceful possession to the respondent(s) on or before 31st May, 2025.

Pending application(s), if any, shall stand disposed of.”

3.Mr.G.Anandaraj, learned counsel takes notice for the respondent and undertakes to file an affidavit of undertaking that he will vacate the premises on or before 31.05.2025, by next week.

4.Post on 16.04.2025 for filing affidavit by the respondent before this Court.”



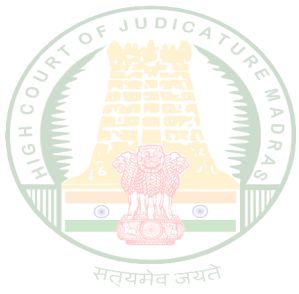
WEB COPY

4.Again, when the Contempt Petitions were taken up on 16.04.2025, this Court passed the following order :

“In pursuant to the common order dated 07.04.2025, the contemnor has filed an affidavit of undertaking to vacate the premises on or before 31.05.2025. The said affidavit of undertaking is taken on record. It is made clear that affidavit as directed by the Hon'ble Supreme Court is not filed in time, despite the same, this Court has accepted his affidavit. Therefore, if the undertaking as undertaken before this Court has not complied and possession is not handed over on or before 31.05.2025, no enquiry is required except for imposing punishment.

2.Post on 04.06.2025 for compliance.”

5.It is relevant to note that, the affidavit dated 09.04.2025, though filed belatedly before this Court, to vacate the premises on or before 31.05.2025, was taken on record. The contemnor has clearly stated that in his affidavit, dated 09.04.2025, that he undertakes to vacate the premises and hand over vacant possession of the same to the petitioner on or before 31.05.2025.



WEB COPY

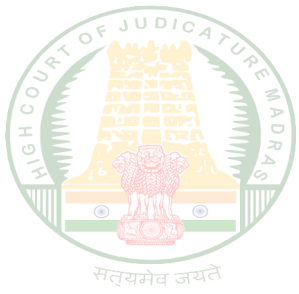
6.Despite such undertaking given before this Court in pursuance of the order of the Hon'ble Supreme Court to vacate the premises on or before 31.05.2025, the contemnor did not vacate the premises. When the Contempt Petition came before this Court for reporting compliance on 04.06.2025, this Court passed the following order :

“This court by order dated 16.04.2025 directed the contemnor to handover the premises on or before 31.05.2025.

2.Contemnor is present before this court today. He has not handed over the entire premises as directed by this court. The demeanour of the contemnor itself proves his attitude that he being a lawyer will not heed to the orders of the court. He is not in a position to show repentance to his activities. Hence, post this matter on 05.06.2025 for further hearing.

The contemnor to be present on 05.06.2025.”

7.The matter was adjourned to 05.06.2025, insisting the presence of the contemnor on that day. On 05.06.2025, this Court passed the following detailed order :



WEB COPY

“These contempt petitions have been filed seeking to punish the respondent/contemnor for having violated the common order of this court dated 08.11.2024 made in C.R.P.Nos.1773 & 1775 of 2024.

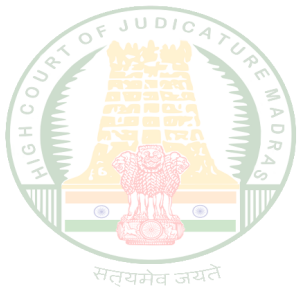
2.This court ordered for eviction of the respondent/contemnor taking note of the fact that he being the practising lawyer, filed several litigations against the petitioner in the contempt petitions. The details of those litigations have been captured in the order passed in the Civil Revision Petitions under these contempt petitions. The operative portion of the common order dated 08.11.2024 made in C.R.P.(NPD) No.1773 and 1775 of 2024 reads as follows:

“40.Accordingly, these revision petitions stand dismissed with the following directions:

a. that the petitioner shall vacate the premises within a period of two months from today.

b. Failure on the part of revision petitioner in obeying the order of this Court, The Commissioner of Police, Chennai is directed to execute the order of this Court and vacate the revision petitioner from the premises and handover the vacant possession to landlords.

c.The Commissioner of Police, Chennai shall vacate the revision petitioner or any other person claiming right under revision petitioner from the premises. Further, to above direction, in the event of disobeying the orders of this Court by the revision petitioner, he will be proceeded for contempt of Court.”



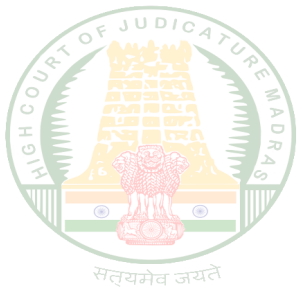
WEB COPY

3.1.Challenging the order of this court in the above Civil Revision Petitions, the respondent herein filed Special Leave Petitions in SLP (C) Nos.31055 & 31056 of 2024 and the same were dismissed on 06.01.2025. The Hon'ble Supreme Court has however extended the time for handing over the subject premises till 31.05.2025. The relevant portion of the order of the Hon'ble Supreme Court reads as follows:-

“Considering the facts and circumstances of the case, we grant time to the petitioner to vacate the premises till 31st May, 2025 subject to the petitioner's filing the usual undertaking in this regard before the Trial Court within two weeks from today. The petitioner shall handover vacant and peaceful possession to the respondent(s) on or before 31st May, 2025.”

3.2.Pursuant to the said order of the Hon'ble Supreme Court, the respondent/contemnor filed an affidavit of undertaking dated 09.04.2025 before this court undertaking to vacate the subject premises and handover the vacant possession to the petitioner in the contempt petitions on or before 31.05.2025.

3.3.Now, the grievance of the petitioner is that the respondent did not hand over the subject premises before 31.05.2025 as undertaking by him before this court.



WEB COPY

4. When the contempt petitions came up for hearing before this court on 04.06.2025, the respondent took a stand that he will handover the possession of in respect of ground and first floor only. He has stated that he will not handover possession in respect of 100 square feet as the same was not covered under the rent control proceedings.

5. This court on 04.06.2025 observed as follows and directed the matter to be listed today:-

“This court by order dated 16.04.2025 directed the contemnor to handover the premises on or before 31.05.2025.

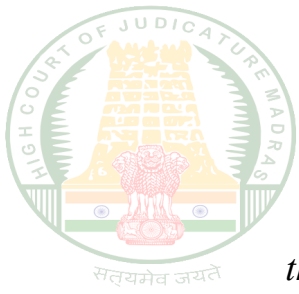
2. Contemnor is present before this court today. He has not handed over the entire premises as directed by this court. The demeanour of the contemnor itself proves his attitude that he being a lawyer will not heed to the orders of the court. He is not in a position to show repentance to his activities. Hence, post this matter on 05.06.2025 for further hearing.

The contemnor to be present on 05.06.2025.”

6. Today, this court has heard the contemnor at length.

7. The respondent/contemnor is present.

8. This court is of the view that the contemnor is trying only to delay the eviction process some how or other. When



WEB COPY

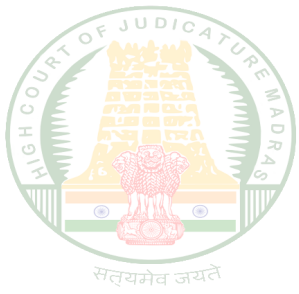
this court was about to pass a detailed order on contempt petitions on merits, the respondent/contemnor submitted that he will not enter the subject premises hereafter and petitioner can take physical possession himself.

9.Today, the respondent/contemnor filed an affidavit alleging so many allegations on various matters. He, however, during the course of hearing of the matters, specifically stated that he will not enter the subject premises from today onwards.

10.The learned counsel appearing for the contemnor also asserted before this court that the respondent/contemnor informed him that he will not enter the subject premises hereafter.

11.The respondent/contemnor submitted that possession of the entire subject premises can be taken by the petitioner himself and by saying so, he handed over the keys across the bar to the learned counsel for the petitioner/respondent/landlord.

12.In view of the above development, the petitioner in the contempt petitions will take physical delivery of the subject premises forthwith.

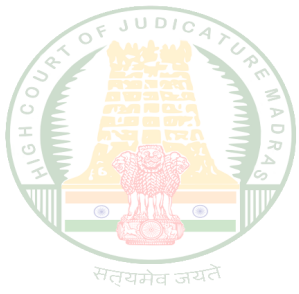


WEB COPY

13. Having given an undertaking to vacate the premises and handover the keys, if any further violation is taken place, the matter will be viewed seriously and contempt petition will be decided on its own merits.

14. The learned counsel for the respondent/contemnor stated that there are case bundles, books and furniture in the subject premises.

15. When this court requested learned counsel for the respondent/contemnor to make himself available at the premises and see that the belongings of the respondent/contemnor are taken tomorrow and handed over to the respondent/contemnor, since the contemnor is not interested and willing to go to the premises, the learned counsel for the respondent/contemnor submitted that he is not available this week and next week. The learned counsel for respondent/contemnor as well as the contemnor would however submit that the petitioner/respondent/landlord himself can be directed to take inventory of the articles belonging to the respondent/contemnor available in the office premises and submit the inventory list before this court.



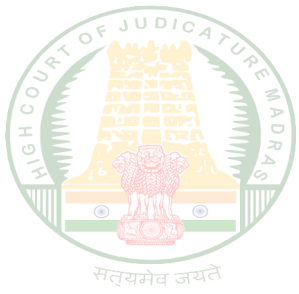
WEB COPY

16.This court is however of the opinion that taking inventory in the absence of the respondent/contemnor will lead to further complications and would give a room to make further allegations. In such view of the matter, this court in order to give quietus, direct Mr.K.K.Ramakrishnan, Head Bailiff, Madras High Court (Cell No. 0444354504) to go to the subject premises along with the learned counsel for the petitioner in the contempt petitions and take inventories of the articles owned and kept by the respondent/contemnor on 06.06.2025. The Head Bailiff is also directed to videograph the entire process of inventory.

17.The description of the subject premises is as under:-

House and Premises bearing No.19-A, Thiruvengatapuram, Choolaimedu, Chennai – 600 094 also identified as Door No.13/2, Khan Street, Choolaimedu, Chennai – 600 094, comprised in T.S.No.64, Old Survey No.17/4, Block No.16 of 109, Puliyur Village, EgmoreNungambakkam Taluk, Chennai.

18.The Inspector of Police, Choolaimedu Police Station shall afford adequate protection and see that the entire inventory process is completed smoothly.



WEB COPY

19.It is stated by the respondent/contemnor that he has already filed a Miscellaneous Application in Diary No.24930 of 2025 in Review Petition (C) Diary No.24801 of 2025 before the Hon'ble Supreme Court and the same is pending. The said statement is recorded.

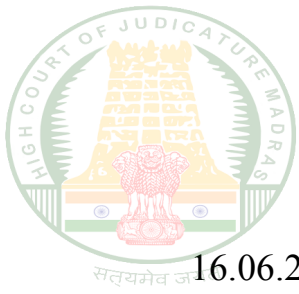
20.In the event the contemnor succeeds in the pending matters before the Hon'ble Supreme Court, order of the Hon'ble Supreme Court will take care of right and the interest of the petitioner.

21.Mr.K.K.Ramakrishnan, Head Bailiff, Madras High Court shall file a brief report along with his inventory and also video footages on 02.07.2025.

22.The charges in respect of videographing shall be borne by the petitioner in the contempt petitions.

Post on 02.07.2025.”

8.Though the matter stood adjourned to 02.07.2025, on mentioning by the learned counsel for the petitioner, the matter was again listed on 16.06.2025. At the risk of repetition, the order passed by this Court on



16.06.2025, is reproduced hereunder :

WEB COPY

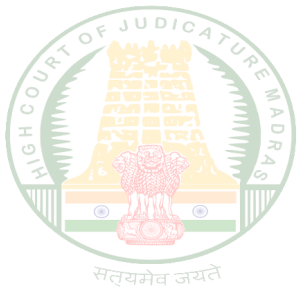
“These contempt petitions have been filed seeking to punish the respondent for having violated the common order of this court dated 08.11.2024 made in C.R.P.No.1773 and 1775 of 2024.

2.These contempt petitions were, though, directed to be listed on 02.07.2025, on a mention made by the learned counsel for the petitioner herein on 11.06.2025, they are listed today.

3.On 05.06.2025, this court has passed passed the following order on these contempt petitions:

“These contempt petitions have been filed seeking to punish the respondent/contemnor for having violated the common order of this court dated 08.11.2024 made in C.R.P.Nos.1773 & 1775 of 2024.

2.This court ordered for eviction of the respondent/contemnor taking note of the fact that he being the practising lawyer, filed several litigations against the petitioner in the contempt petitions. The details of those litigations have been captured in the order passed in the Civil Revision Petitions under these contempt petitions. The operative portion of the common



WEB COPY

order dated 08.11.2024 made in C.R.P.(NPD) No.1773 and 1775 of 2024 reads as follows:

“40.Accordingly, these revision petitions stand dismissed with the following directions:

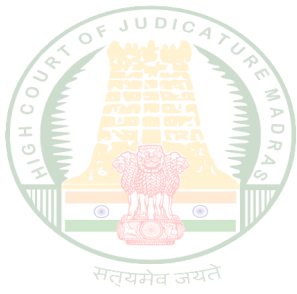
a. that the petitioner shall vacate the premises within a period of two months from today.

b. Failure on the part of revision petitioner in obeying the order of this Court, The Commissioner of Police, Chennai is directed to execute the order of this Court and vacate the revision petitioner from the premises and handover the vacant possession to landlords.

c.The Commissioner of Police, Chennai shall vacate the revision petitioner or any other person claiming right under revision petitioner from the premises. Further, to above direction, in the event of disobeying the orders of this Court by the revision petitioner, he will be proceeded for contempt of Court.”

3.1.Challenging the order of this court in the above Civil Revision Petitions, the respondent herein filed Special Leave Petitions in SLP (C) Nos.31055 & 31056 of 2024 and the same were dismissed on 06.01.2025. The Hon'ble Supreme Court has however extended the time for handing over the subject premises till 31.05.2025. The relevant portion of the order of the Hon'ble Supreme Court reads as follows:-

“Considering the facts and circumstances of the case, we grant time to the petitioner to vacate the premises till 31st May, 2025 subject to the petitioner's filing the usual undertaking in this regard before the Trial Court within two weeks from today. The petitioner shall handover



WEB COPY



Cont.P.Nos.985 & 986 of 2025

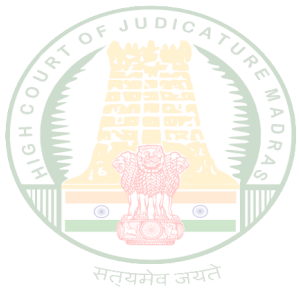
vacant and peaceful possession to the respondent(s) on or before 31st May, 2025.”

3.2.Pursuant to the said order of the Hon'ble Supreme Court, the respondent/contemnor filed an affidavit of undertaking dated 09.04.2025 before this court undertaking to vacate the subject premises and handover the vacant possession to the petitioner in the contempt petitions on or before 31.05.2025.

3.3.Now, the grievance of the petitioner is that the respondent did not hand over the subject premises before 31.05.2025 as undertaking by him before this court.

4.When the contempt petitions came up for hearing before this court on 04.06.2025, the respondent took a stand that he will handover the possession of in respect of ground and first floor only. He has stated that he will not handover possession in respect of 100 square feet as the same was not covered under the rent control proceedings.

5.This court on 04.06.2025 observed as follows and directed the matter to be listed today:-



WEB COPY



“This court by order dated 16.04.2025 directed the contemnor to handover the premises on or before 31.05.2025.

2.Contemnor is present before this court today. He has not handed over the entire premises as directed by this court. The demeanour of the contemnor itself proves his attitude that he being a lawyer will not heed to the orders of the court. He is not in a position to show repentance to his activities. Hence, post this matter on 05.06.2025 for further hearing.

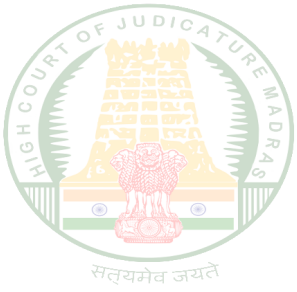
The contemnor to be present on 05.06.2025.”

6.Today, this court has heard the contemnor at length.

7.The respondent/contemnor is present.

8.This court is of the view that the contemnor is trying only to delay the eviction process some how or other. When this court was about to pass a detailed order on contempt petitions on merits, the respondent/contemnor submitted that he will not enter the subject premises hereafter and petitioner can take physical possession himself.

9.Today, the respondent/contemnor filed an affidavit alleging so many allegations on various matters. He, however, during the course of hearing of the matters, specifically stated that he will not enter the



WEB COPY

subject premises from today onwards.

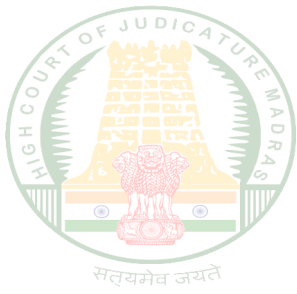
10.The learned counsel appearing for the contemnor also asserted before this court that the respondent/contemnor informed him that he will not enter the subject premises hereafter.

11.The respondent/contemnor submitted that possession of the entire subject premises can be taken by the petitioner himself and by saying so, he handed over the keys across the bar to the learned counsel for the petitioner/respondent/landlord.

12.In view of the above development, the petitioner in the contempt petitions will take physical delivery of the subject premises forthwith.

13.Having given an undertaking to vacate the premises and handover the keys, if any further violation is taken place, the matter will be viewed seriously and contempt petition will be decided on its own merits.

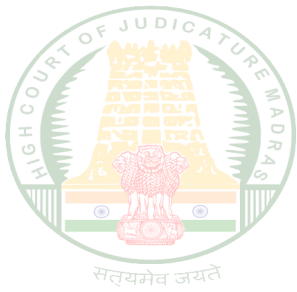
14.The learned counsel for the respondent/contemnor stated that there are case bundles, books and furniture in the subject premises.



WEB COPY

15. When this court requested learned counsel for the respondent/contemnor to make himself available at the premises and see that the belongings of the respondent/contemnor are taken tomorrow and handed over to the respondent/contemnor, since the contemnor is not interested and willing to go to the premises, the learned counsel for the respondent/contemnor submitted that he is not available this week and next week. The learned counsel for respondent/contemnor as well as the contemnor would however submit that the petitioner/respondent/landlord himself can be directed to take inventory of the articles belonging to the respondent/contemnor available in the office premises and submit the inventory list before this court.

16. This court is however of the opinion that taking inventory in the absence of the respondent/contemnor will lead to further complications and would give a room to make further allegations. In such view of the matter, this court in order to give quietus, direct Mr.K.K.Ramakrishnan, Head Bailiff, Madras High Court (Cell No. 0444354504) to go to the subject premises along with the learned counsel for the petitioner in the contempt petitions and take inventories



WEB COPY



Cont.P.Nos.985 & 986 of 2025

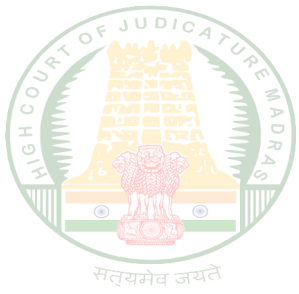
of the articles owned and kept by the respondent/contemnor on 06.06.2025. The Head Bailiff is also directed to videograph the entire process of inventory.

17.The description of the subject premises is as under:-

House and Premises bearing No.19-A, Thiruvengatapuram, Choolaimedu, Chennai – 600 094 also identified as Door No.13/2, Khan Street, Choolaimedu, Chennai – 600 094, comprised in T.S.No.64, Old Survey No.17/4, Block No.16 of 109, Puliyur Village, EgmoreNungambakkam Taluk, Chennai.

18.The Inspector of Police, Choolaimedu Police Station shall afford adequate protection and see that the entire inventory process is completed smoothly.

19.It is stated by the respondent/contemnor that he has already filed a Miscellaneous Application in Diary No.24930 of 2025 in Review Petition (C) Diary No.24801 of 2025 before the Hon'ble Supreme Court and the same is pending. The said statement is recorded.



WEB COPY

20. In the event the contemnor succeeds in the pending matters before the Hon'ble Supreme Court, order of the Hon'ble Supreme Court will take care of right and the interest of the petitioner.

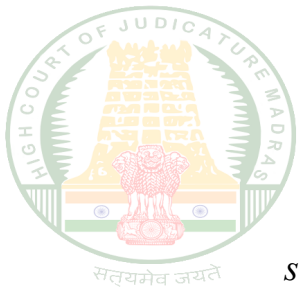
21. Mr. K.K. Ramakrishnan, Head Bailiff, Madras High Court shall file a brief report along with his inventory and also video footages on 02.07.2025.

22. The charges in respect of videographing shall be borne by the petitioner in the contempt petitions.

Post on 02.07.2025. ”

3. Mr K.K. Ramakrishnan, Head Bailiff of this court, pursuant to the abovementioned order of this court, visited the subject premises, took inventory of the articles as directed by this court, and submitted a report along with lists of inventory, photographs, and a pendrive containing footage of the entire process of inventory.

4. The report of the Head Bailiff would indicate that the respondent was also present at the premises; however, the key of the first floor was not given, and the door was found locked. The very presence of the respondent, despite having made a

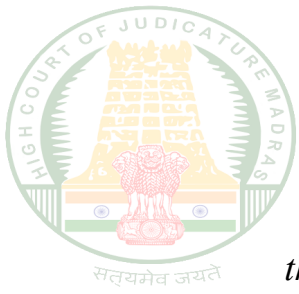


WEB COPY

statement that he would not enter upon the premises any more, would also amount to disobedience of the order of this court. These all would go to show that the respondent has scant regard for the orders of the High Court and the Honourable Supreme Court. The respondent takes advantage of his position of being a practising Advocate. He is bent upon disobeying the order of this court.

5.It is also brought to the notice of this court that the respondent has filed a suit in O.S.No.2898 of 2025 on the file of the XXI Assistant Judge, City Civil Court at Chennai, for an injunction restraining P. Vikas Kumar, the petitioner herein, and his mother and their henchmen from entering into the subject premises. The filing of an injunction suit after having given an undertaking before the court to vacate and hand over the peaceful possession of the subject premises would itself amount to utter violation of the orders of this court. Considering the facts and circumstances of the case and the breach of undertaking given by the respondent before this court by not handing over the subject premises, the learned XXI Assistant Judge, City Civil Court at Chennai, is directed not to proceed further in the suit in O.S.No.2898 of 2025.

6.The Bailiff (s) of this court is directed to break open



WEB COPY

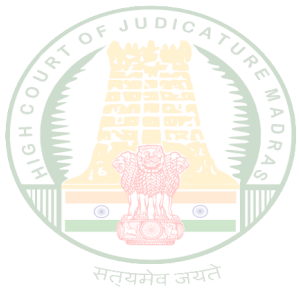
the subject premises and hand over possession of the entire premises to the petitioner. The description of the subject premises has already been captured in the earlier order of this Court dated 05.06.2025, extracted above.

7.Delivery by 30.06.2025. The Bailiff (s) shall videograph the entire process of delivery and produce the video footages before this court along with delivery report. The cost of videographing shall be borne by the petitioner herein.

8.The Bailiff (s) shall remove the articles mentioned in the list(s) of inventory at the cost of the petitioner herein and keep them in the safe custody at the High Court. The Registrar General is directed to provide necessary accommodation to the Bailiff (s) of this court to keep the articles removed from the subject premises in safe custody.

9.The Bailiff (s) shall file his report by 02.07.2025.

10.The Commissioner of Police, Greater Chennai City, is directed to ensure adequate police protection is provided to the Bailiff (s) to effect delivery of the subject premises as directed by this court.



WEB COPY

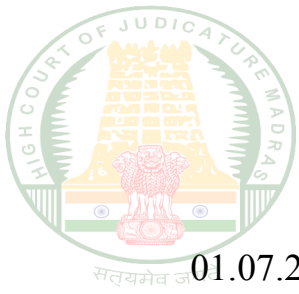
11.It is relevant to note here that despite several indictments made by the courts in various proceedings which had already been captured by this court in its common order dated 08.11.2024 made in C.R.P. Nos. 1773 & 1775 of 2024, the respondent still continues to disobey the orders of this court. The respondent committed a clear breach of undertaking given before this court by not handing over the vacant possession of the subject premises on or before 31.05.2025. Therefore, this court is of the view that it is a clear case of contempt of breach of undertaking given by him before this court and the respondent should be dealt with with an iron hand.

12.The respondent is hereby called upon to file his explanation as to why he should not be punished for having committed contempt of breach of undertaking given by him before the court on or before 30.06.2025.

13.Call this matter on 02.07.2025.

14.The Registrar (Judicial), High Court of Madras is directed to keep the report of the Head Bailiff, photographs and the pendrive containing the footages of the inventory process in safe custody.”

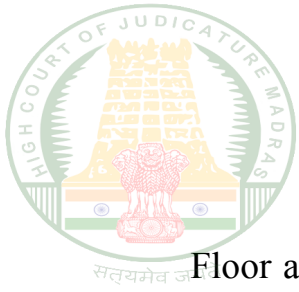
9.As per the directions of this Court dated 16.06.2025, the Head Bailiff has effected delivery on 30.06.2025 and has filed a report dated



Cont.P.Nos.985 & 986 of 2025

01.07.2025 to that effect. Thereafter, the matter came before this Court on 02.07.2025. Only for the purpose of filing an explanation by the contemnor, the matter had been listed on that day. However, the contemnor was not present. Mr.G.Anandaraj, learned counsel who was appearing earlier for the contemnor, was also not present. Mr.G.S.Mani, learned counsel, appeared for the contemnor, and filed a Common Explanation Affidavit of the contemnor, dated 30.06.2025.

10.The contemnor was not present before this Court on 02.07.2025, despite the fact that he was directed to file an explanation. Be that as it may, the explanation in the form of Common Explanation Affidavit filed by the counsel for the contemnor, when carefully read in entirety, would show that the contemnor has made several allegations against the Head Bailiff, who was directed to take inventory and remove the articles of the contemnor by earlier orders of this Court. Apart from making such allegations, the explanation further indicates that the contemnor has also made a complaint against the Head Bailiff before the Registrar General of this Court. Further, it is stated in the explanation that the contemnor has handed over the keys before this Court except for 100 sq.ft in the Ground



WEB COPY

Floor and 700 sq.ft in the Second Floor. According to him, those areas are not covered under the rent control proceedings and therefore, he is entitled to retain possession of the same. Further, in the last paragraph of the explanation affidavit, he has stated that he offers his sincere and unconditional apology and further assured this Court that his act was neither intentional nor contemptuous, but rather an emotional reaction.

11.The very nature of the explanation of the contemnor filed before this Court indicates that he has not shown any remorse or repentance for his continuous disobedience of the orders of this Court. Once again, he has started laying claim over the premises in which he was originally inducted as a tenant. In the additional counter filed by the contemnor, in the rent control proceedings, he has admitted that he was inducted as a tenant not only in respect of Ground Floor and First Floor, but also Second Floor. This fact has been clearly recorded by this Court in the order in C.R.P.Nos.1773 & 1775 of 2024, dated 08.11.2024. Once again, laying a claim over 100 sq.ft in the Ground Floor and 700 sq.ft in the Second Floor, is nothing but one more attempt, somehow or the other, to violate the orders of this Court, showing scant respect to the Court orders. The very nature of

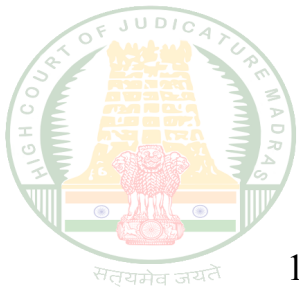


Cont.P.Nos.985 & 986 of 2025

the explanation filed by the contemnor, the complaint lodged against the Head Bailiff, and filing of yet another suit in O.S.No.2898 of 2025 on the file of the XXI Assistant City Civil Court, Chennai, for bare injunction against the landlords, is nothing but a deliberate disobedience of the orders of this Court, with a *mala fide* intention, and also a wanton breach of the undertaking given by him before this Court.

12.Further, it is relevant to note that he has also filed Letters Patent Appeals against the orders of this Court in these Contempt Petitions, dated 16.06.2025, in L.P.A.Nos.25 & 26 of 2025, and the said Appeals have also been dismissed by the Division Bench of this Court on 26.06.2025.

13.The contemnor claims to be a lawyer practising for more than 30 years and claims to have held various posts in the Bar Association. Therefore, with all immunity, he has violated the orders of the Hon'ble Supreme Court as well as the orders of this Court and has also breached his own affidavit of undertaking given before this Court and still, he has not vacated the premises on his own.



WEB COPY

14. On 05.06.2025, when the contemnor was present before this Court, when this Court was about to pass detailed orders in these Contempt Petitions on merits, he submitted before this Court that the petitioner can take physical possession himself and he will not enter the subject premises from that day. His version was also asserted by the counsel who appeared for him on that day. However, this Court, taking note of the previous conduct of the contemnor, anticipated further complications on taking inventory in the absence of the contemnor and therefore, directed the Head Bailiff of this Court to take inventory and also to videograph the entire process of taking inventory. Despite having undertaken before this Court that he will not enter the premises, when the Court Amin visited the premises, the contemnor was also very much present in the premises and he has made hue and cry and in fact, he has caused obstruction for taking inventory. This aspect clearly shows that the contemnor has never shown any remorse or repentance for his bad behaviour.

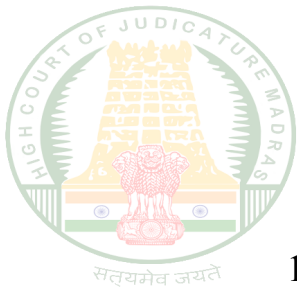
15. The contemnor, being a member of lawyer's community, is expected to show utmost good conduct not only in the Court but also in the Society. When a member of the legal profession is bent upon disobeying



WEB COPY

the orders of this Court, it will, in fact, lead to an opinion in the minds of public that with such immunity as a member of legal fraternity and the Bar, one can violate the orders of the Courts. If such character or disobedience is not dealt with by the Court seriously, the faith and confidence the common man reposes on the judiciary will be eroded.

16. Merely a single line in the last paragraph of the explanation filed by the contemnor to show as if he has offered his unconditional apology, in the view of this Court, cannot be construed as if he has tendered his apology *bona fide*. The explanation in entirety, in fact, tends to show that he has started to lay another claim over the property once again, after the matter has reached finality. Therefore, when the apology has not been tendered *bona fide* and there is no indication to show that the contemnor has shown remorse or repentance to his contumacious acts, merely based on a single line apology, that too, without *bona fides*, the deliberate and willful violation and disobedience of the orders of the Court by a member of the Bar, cannot be condoned.



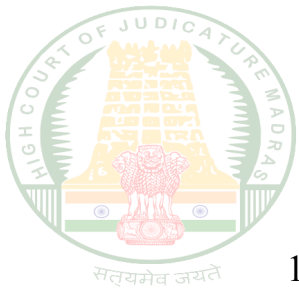
WEB COPY

17.A Full Bench of this Court, in the case of **Peter Ramesh Kumar v. Suo Motu** reported in (2013) 6 CTC 705, has taken note of the judgment in *M.Y.Shareef v. The Hon'ble Judges of the High Court of Nagpur* reported in AIR 1955 SC 19, wherein, it is held as follows :

“45..... With regard to apology in proceedings for contempt of court, it is well-settled that an apology is not a weapon of defense to purge the guilty of their offence; nor is it intended to operate as a universal, panacea, but it is intended to be evidence of real contriteness & similar observations were made by this Court in the case of L.D. Jaikwal v. State of U.P. (MANU/SC/0077/1984 : (1984) 3 SCC 405), wherein this Court held as under:

6.We do not think that merely because the appellant has tendered his apology we should set aside the sentence and allow him to go unpunished. Otherwise, all that a person wanting to intimidate a Judge by making the grossest imputations against him has to do, is to go ahead and scandalize him, and later on tender a formal empty apology which costs him practically nothing. If such an apology were to be accepted, as a rule, and not as an exception, we would in fact be virtually issuing a "licence" to scandalize courts and commit contempt of court with impunity.....”

(emphasis supplied)

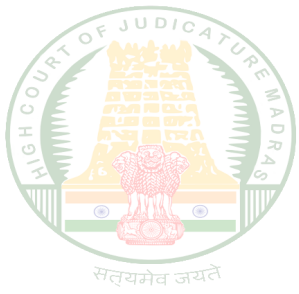


WEB COPY

18.The Hon'ble Supreme Court, in the case of ***Suman Chadha and another v. Central Bank of India*** reported in (2021) 20 SCC 365, has held as follows :

“16.It is true that this Court has held in a series of decisions that the wilful breach of the undertaking given to the Court amounts to contempt of Court under Section 2(b) of the Act. But the Court has always seen (i) the nature of the undertaking made; (ii) the benefit if any, reaped by the party giving the undertaking; and (iii) whether the filing of the undertaking was with a view to play fraud upon the court or to hoodwink the opposite party. The distinction between an order passed on consent terms and an order passed solely on the basis of an undertaking given to court and the distinction between a person playing fraud on the court thereby obstructing the course of justice and a person playing fraud on one of the parties, was brought out by this Court in Babu Ram Gupta vs. Sudhir Bhasin, (1980) 3 SCC 47 in the following words:-

“...Indeed, if we were to hold that non-compliance of a compromise decree or consent order amounts to contempt of court, the provisions of the Code of Civil Procedure relating to execution of decrees may not be resorted to at all. In fact, the reason why a breach of clear undertaking given to the court amounts to contempt of court is that the contemner by making a false representation to the court obtains a benefit for himself and if he fails to honour the undertaking, he



WEB COPY

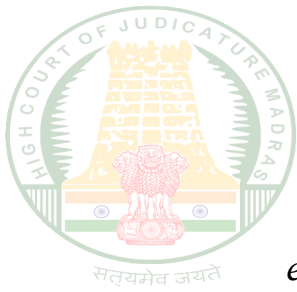


plays a serious fraud on the court itself and thereby obstructs the course of justice and brings into disrepute the judicial institution. The same cannot, however, be said of a consent order or a compromise decree where the fraud, if any, is practised by the person concerned not on the court but on one of the parties. Thus, the offence committed by the person concerned is qua the party not qua the court, and, therefore, the very foundation for proceeding for contempt of court is completely absent in such cases.”

(emphasis supplied)

19.The Hon'ble Supreme Court, in ***Bank of Baroda v. Sadruddin Hasan Daya and another*** reported in (2004) 1 SCC 360, has held as follows :

“12.The submission of Shri R.F. Nariman, learned counsel for the respondents, that this Court having passed a consent decree, the remedy of the petitioner lay in executing the same and there was no occasion for initiating contempt proceedings against the respondents has hardly any merit. The willful breach of an undertaking given to a Court amounts to "civil contempt" within the meaning of Section 2(b) of the Contempt of Courts Act. The respondents having committed breach of the undertaking given to this Court in the consent terms filed on 28.7.1999, they are clearly liable for having committed contempt of Court. The fact that the petitioner can



WEB COPY

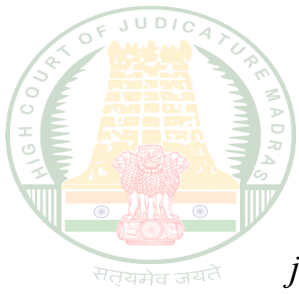
execute the decree can have no bearing on the contempt committed by the respondents. The law in England on the subject of breach of undertaking given to Court is same. In Volume 9(1) Halsbury's Laws of England Para 482, it has been stated as under :

"An undertaking given to the court in pending proceedings by a person or corporation (or by a government department or Minister of the Crown acting in his official capacity) on the faith of which the court sanctions a particular course of action or inaction, has the same force as an injunction made by the court and a breach of the undertaking is misconduct amounting to contempt.""

20.The Hon'ble Supreme Court, in Sitaram Enterprises v. Prithviraj Vardichand Jain reported in (2024) SCC Online SC 2493, has held as follows :

“Disregarding a Court's order may seem bold, but the shadows of its consequences are long and cold.”

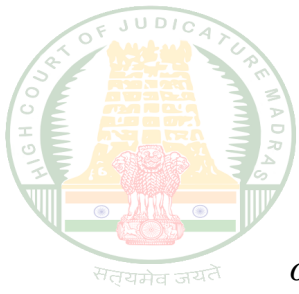
1.Contempt of court is a serious legal infraction that strikes at the very soul of justice and the sanctity of legal proceedings. It goes beyond from mere defiance of a Court's authority, but also denotes a profound challenge to the principles that underpin the rule of law. At its core, it is a profound disavowal of the respect and adherence to the



WEB COPY

judicial process, posing a concerning threat to integrity of judicial system. When a party engages in contempt, it does more than simply refusing to comply with a Court's order. By failing to adhere to judicial directives, a contemnor not only disrespects the specific order, but also directly questions the Court's ability to uphold the rule of law. It erodes the public confidence in the judicial system and it's ability to deliver justice impartially and effectively. Therefore, power to punish for Contempt of Court's order is vital to safeguard the authority and efficiency of the judicial system. By addressing and penalizing contemptuous conduct, the legal system reinforces its own legitimacy and ensures that judicial orders and proceedings are taken seriously. This deterrent effect helps to maintain the rule of law and reinforces public's faith in the judicial process, ensuring that Courts can function effectively without undue interference or disrespect.

2. Contempt powers are integral to maintaining the sanctity of judicial proceedings. The ability to address contempt ensures that the authority of the court is respected and that the administration of justice is not hampered by willful disobedience. In the said context, the power of this Court to punish for contempt is a cornerstone of its authority, integral to the administration of justice and the maintenance of its own dignity. Enshrined in Article 129 of the Constitution

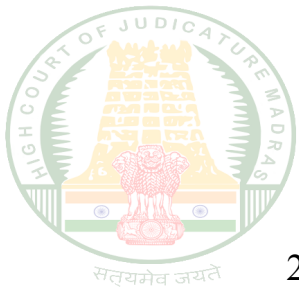


WEB COPY

of India, this power is essential for upholding the rule of law and ensuring due compliance by addressing actions that undermine its authority, obstruct its proceedings, or diminish the public trust and confidence in the judicial system.

3.The Courts ordinarily take lenient approach in a case of some delay in compliance of the orders, unless the same is deliberate and willful, on confronting the conduct of the contemnor that strikes the very heart of judicial authority. Undoubtedly, this appalling breach of legal decorum has in its face challenged the sanctity of the orders passed by this Court and hence we are constrained to examine Contemnor/tenant's willful and deliberate act of non-compliance of the order and also the undertaking furnished by him as directed.”

21.In the latest judgment in ***M/s.Chitra Woods Manors Welfare Association v. Shaji Augustine*** reported in ***(2025) 3 MLJ 747 (SC)***, the Hon'ble Supreme Court has held that misuse of the process of Court with an intent to tarnish the image of judiciary, threatening the integrity, and the efficiency of the judicial system cannot be allowed to be overlooked and ignored in the garb of non-fulfillment of the directions because of now said to be faced financial constraints.



WEB COPY

22. Legal profession is indeed a noble profession, built on the principles of justice, integrity, and service. Legal profession is rooted in a rich tradition of nobility, with lawyers serving as guardians of the law and champions of justice. Lawyers play a vital role in upholding the rule of law, protecting individual rights, and promoting social justice. While the profession can be challenging, it is also incredibly rewarding, offering opportunities for personal and professional growth, and the chance to make a real difference in people's lives.

23. The position of lawyers in the Society is so high and in fact, the right of audience of lawyer by the accused is made a fundamental right in the Constitution of India under Article 22 Sub-Clause (1). It is stated that no person, who is arrested, shall be denied the right to consult and to be defended by a lawyer of his choice. The practicing lawyers are, in fact, given a pride of place in the Constitution, that too, under Part-III (Fundamental Rights) of the Constitution. When such is the pride position given to a lawyer under the Constitution, the conduct of a person, who has entered into such noble profession, towards the Court, Society, litigants and oneself, is expected to be in the interest of the Institution rather than being



on his own interest.

WEB COPY

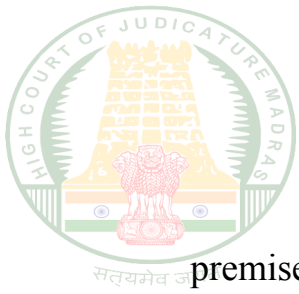
24.As lawyers, it is their professional obligation to respect and comply with court orders, even if they disagree with the decision. Particularly, a lawyer who is a litigant, he has no other option except to comply with the orders of the Court. Failure to comply with Court orders will certainly result in contempt proceedings, followed by damage to professional reputation and may undermine their credibility in the eyes of the Court and clients. The conduct of the lawyers towards Court and Court orders is also emphasized in the Bar Council Rules.

25.In the case on hand, the contemnor is not an ordinary layman and he is said to be a practising lawyer for more than 30 years and is said to have held many posts in the Bar Association. However, the contemnor herein is so determined to protract the proceedings all these years. After the proceedings reached finality, despite the directions of the Constitution Court to vacate the premises within a specific time and despite the orders of the Hon'ble Supreme Court directing him to file an affidavit before the trial Court within two weeks from the date of the order, i.e., on 06.01.2025, the



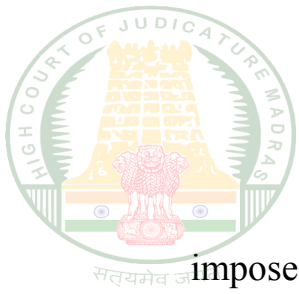
WEB COPY

contemnor failed to file an affidavit before the trial Court. This demeanour itself gives an impression that he is least bothered about the orders of the Hon'ble Supreme Court and this Court. After initiation of contempt proceedings against him, the contemnor filed an affidavit before this Court, dated 09.04.2025, undertaking to vacate the premises on or before 31.05.2025. However, he has not honoured his undertaking deliberately with a *mala fide* intention. Rather, he has been driving the petitioner, namely, the landlord, to approach the Court on several occasions. On 05.06.2025, despite having given an undertaking before this Court that he will not go to the premises and that the Court Amin himself can take inventory, when the Court Amin visited the place, once again, the contemnor was present in the premises and made obstructions for taking inventory. This act is also nothing but a clear case of disobedience and contempt of the orders of this Court. Not stopping with that, even while filing an explanation before this Court, he has renewed his original character once again by making allegations as he did in the course of rent control proceedings. Now, the allegations are against the Head Bailiff of this Court. But, in any event, he did not hand over possession in entirety on his own. Therefore, this Court directed the Head Bailiff to break open the



WEB COPY

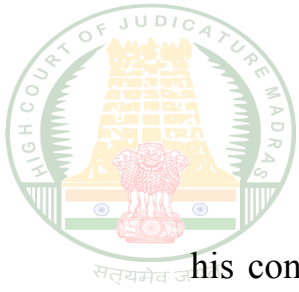
premises and remove all the books and other articles from the subject premises and keep the same in the Safe Custody of this Court. Even after suffering an adverse order to that extent, the contemnor is not willing to vacate the premises on his own as undertaken by him, rather, trying to lay a new claim over the property by filing a suit for injunction in O.S.No.2898 of 2025 on the file of the XXI Assistant City Civil Court, Chennai, as against the landlords. This conduct, in the view of this Court, is nothing but a clear case of deliberate violation of Court orders with *mala fide* intention. The contemnor, with all immunity, wants to challenge the orders of the Courts on the strength of his membership in the Bar. His conduct, though will not amount to professional misconduct, will certainly fall within the ambit of other misconduct warranting disciplinary proceedings by the Bar Council of Tamil Nadu. If a person of this nature, showing scant respect to the Court orders and disobeying them deliberately and willfully and also exhibiting various other acts of misconduct, despite various adverse orders being passed against him as captured by this Court in the earlier orders in C.R.P.(NPD) Nos.1773 & 1775 of 2024, dated 08.11.2024, is allowed to continue in legal profession, it will have a serious impact on the very Institution itself. Therefore, apart from the punishment that may be



WEB COPY

imposed against the contemnor in this contempt proceedings, the Bar Council of Tamil Nadu and Puducherry is directed to initiate appropriate disciplinary proceedings against the contemnor for his misconduct.

26. When a lawyer himself is a litigant, he cannot take the law in his own hands to protract the proceedings. He is also subject to legal process as that of an ordinary litigant. Having dragged the rent control proceedings for all these years, but for the intervention of this Court and the Hon'ble Supreme Court, the very valuable properties would not have been gone back to the original owner. He has intentionally breached his own undertaking given before this Court pursuant to the directions of the Hon'ble Supreme Court and this Court and has further caused obstructions to the execution of the Court orders. Even when he was called upon to submit his explanation for his contumacious acts, he has not come forward to tender his *bona fide* apologies, rather is trying to lay a new claim over the property by filing an independent suit, after the matter has reached finality. Further, he has challenged the delivery order passed in the contempt proceedings by filing Letter Patents Appeals and the same have also been dismissed. This itself clearly indicates he has no remorse or repentance for



WEB COPY

his contumacious acts. All these factors clearly show that the contemnor, with his position as a lawyer and membership in the Bar as a shield, is stubborn enough to disobey and disrespect the orders of the Courts. Disobedience of the orders of this Court by an Advocate itself is a serious misconduct against the Bar Council Rules and attracts contempt. The contemnor's *mala fide* misconduct, deliberate disobedience of the orders of the Courts, intentional breach of his own undertaking before this Court, clearly shows the contemnor as unbecoming of a lawyer. Such a serious misconduct and contempt, if not dealt with by this Court with a firm hand, will amount to giving licence to such unscrupulous lawyers to take law in their own hands and defeat the justice granted to the other side.

27.The manner in which the contemnor has filed various litigations clearly indicates that he himself is a party of fomenting litigations. Even after undertaking before this Court to vacate, the act of still resisting the delivery order passed by this Court, is a clear case of contempt. That apart, filing a false suit once again seeking an injunction is also a clear case of deliberate act of contempt. Besides civil contempt, his conduct also falls within the ambit of other misconduct warranting disciplinary proceedings



and suspension of his practice by the Bar Council.

WEB COPY

28.Hence, considering the nature of the violations, deliberate and wanton disobedience of the Court orders with *mala fide* intention with all immunity, non-tendering of *bona fide* apology, rather filing further litigations to protract the matter which has reached finality, act of showing no remorse or repentance to his serious misconduct, this Court holds that the contemnor is guilty of committing civil contempt and he is liable to be punished.

29.This Court is of the view that serious punishment is warranted in this case, since the contemnor herein has been continuously violating and disobeying the orders of Court and committing contempt of Court at every stage and despite having given an undertaking that he will vacate the premises, has started his mischief again by laying a new claim in the very explanation offered in the contempt proceedings instead of showing any *bona fide* remorse and repentance, this Court is of the view that fine alone will not meet the ends of justice and such a person has to be sentenced to imprisonment. Accordingly, the contemnor is sentenced to simple



imprisonment for a period of four months and a fine of Rs.2,000/- (Rupees Two Thousand only). Registry is directed to issue necessary warrant forthwith and the contemnor is directed to be detained in civil prison. As the contemnor purposefully avoided not to appear before this Court on the last date of hearing and also today, therefore, this Court is not inclined to suspend the sentence.

30.Further, this Court also issues the following directions :

- i. The Bar Council of Tamil Nadu and Puducherry shall initiate appropriate disciplinary action as against the contemnor for his misconduct as against the Bar Council Rules, as indicated in Para Nos.25 to 27 of this order.
- ii. The articles belonging to the contemnor, including some old books, etc., which were removed from the subject premises pursuant to the orders of this Court, are now kept in the Safe Custody of this Court. If the contemnor is not willing to take back his articles within a period of one month, the Registry shall proceed to dispose the same as per law and any proceeds from such disposal shall be deposited in any of the Accounts of this Court.



Cont.P.Nos.985 & 986 of 2025

WEB COPY

- iii. The reports of the Head Bailiff along with lists of inventory, photographs, and a pendrive containing footage of the entire process of inventory, shall form part of case records.
- iv. Registry is directed to hand over the key, which was submitted by the contemnor before this Court, to the petitioner/landlord, if not already handed over.
- v. The XXI Assistant City Civil Court, Chennai, is directed to strike off the plaint in O.S.No.2898 of 2025 immediately as re-litigation and abuse of process of Court.

31. With the above directions, these Contempt Petitions are allowed.

08.07.2025

mkn

Internet : Yes

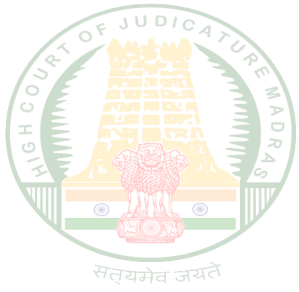
Index : Yes / No

Speaking order / Nonspeaking order

Neutral Citation : Yes / No

Copy to

1. The IX Judge,
Court of Small Causes,
Chennai.



2.The XIII Judge,
Court of Small Causes,
Chennai.

3.The Registrar General,
Madras High Court,
Chennai.

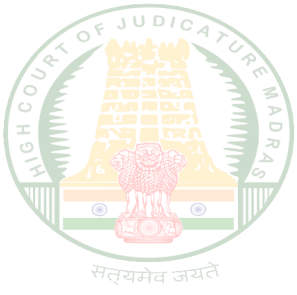
4.The Registrar (Judicial),
Madras High Court,
Chennai.

5.The Joint Registrar (O.S.)
Madras High Court,
Chennai.

6.The Chairman,
Bar Council of Tamil Nadu and Puducherry,
High Court Campus,
Chennai.

7.The XXI Assistant Judge,
City Civil Court,
Chennai.

8.Mr.A.Mohandoss,
Advocate,
No. 71, Law Chambers,
High Court Buildings,
Chennai 600 104.



WEB COPY



Cont.P.Nos.985 & 986 of 2025

N. SATHISH KUMAR, J.

mkn

Common Order in
Cont.P.Nos.985 & 986 of 2025

08.07.2025