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Suo Motu Contempt Petition No.391 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

RESERVED ON : 04 / 01 / 2025

PRONOUNCED ON : 10 / 02 / 2026

Coram:

**THE HONOURABLE MR. JUSTICE P.VELMURUGAN
and
THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN**

Suo Motu Contempt Petition No.391 of 2020

High Court of Madras

... Petitioner

Vs.

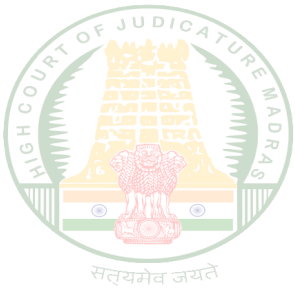
T.Ashok Surana
S/o. Late Mr. G. Tejmull Surana,
44, Kutchery Road,
Mylapore, Chenna- 600 004.

... Contemnor

Prayer: Suo Motu Contempt Proceedings initiated against the contemnor herein as per order dated 17.02.2020 of the Hon'ble Chief Justice in R.O.C.No.1278/2020/OS.

For Petitioner : Mr.V.Vijaya Shankar

For Respondent : Mr.T.Ashok Surana
Party-in-Person



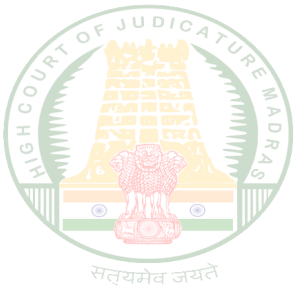
Suo Motu Contempt Petition No.391 of 2020

JUDGMENT

WEB COPY **P.VELMURUGAN, J.**

This Suo Motu Contempt Petition has been initiated by this Court against the contemnor as per the order dated 17.02.2020 of the Hon'ble Chief Justice in R.O.C. No.1278/2020/OS.

2. The contemnor had originally filed a writ petition in W.P.No.24580 of 2017 before this Court and the same came to be dismissed by order dated 12.11.2019. While dismissing the said writ petition, this Court had taken serious note of the nature of allegations and imputations made by the contemnor against the judicial institution and the learned Judges. In view of the scandalous averments and the tenor of the pleadings, this Court had observed that the conduct of the contemnor warranted initiation of appropriate contempt proceedings. Since the said order forms the very foundation for initiation of the present suo motu contempt proceedings, it would be appropriate to refer to the same. Accordingly, the entire order dated 12.11.2019 passed in the writ proceedings is extracted hereunder:-



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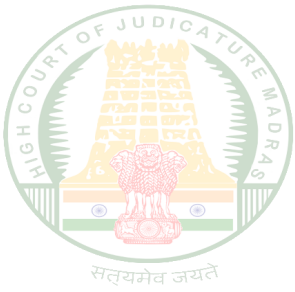
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"The petitioner has filed this writ petition as a party-in-person.

2. When this case was listed on 22.10.2019, the party-in-person was not present before this Court. Therefore, this Court adjourned the case to 05.11.2019 and directed the Registry to inform the party-in-person over phone, about the listing of this case. Accordingly, the Registry sent an SMS to the party-in-person on 22.10.2019 at 04.25 p.m., informing him that this case is posted to 05.11.2019. When the case was listed on 05.11.2019, again, the party-in-person was not present and therefore, this Court posted the case under the caption "for dismissal" today.

3. Today, the party-in-person is present. He harangued that he will not make his submissions before this Bench, because, one of us (P.N.Prakash, J.) has committed genocide and crime against humanity on a scale unknown to mankind. He further stated that he has filed a case against one of us (P.N.Prakash, J.) and on that score, this Bench should not hear this case.

4. Under normal circumstances, this Court would have gladly recused itself from hearing this case. This is not a solitary attempt by the present party-in-person to intimidate the Judges of this Court and successfully prevent them from hearing his cases. He has adopted these tactics with more than 20 Judges of this Court and has ensured that they had recused themselves from hearing his cases. It is high time that this



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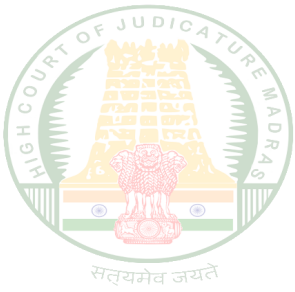
Court puts a full stop to such pernicious techniques. This case has been posted before us as a specially ordered case by the Hon'ble Acting Chief Justice, who was the master of the roster.

5. When this Court told him that he may have to face action for contempt of Court, he stated that he is ready to face any action and that he will challenge it before the Supreme Court and get justice therefrom.

6. Therefore, in view of the recalcitrant attitude of this litigant, this writ petition stands dismissed. Costs made easy. Connected miscellaneous petition is closed.

With regard to initiation of action for contempt of Court, the Registry is directed to place this matter before the Hon'ble The Chief Justice for appropriate orders.

A reading of the above order would clearly show that this Court had, even at that stage, taken serious note of the conduct of the contemnor and the nature of the allegations made by him and had observed that such conduct warranted initiation of appropriate contempt proceedings. Pursuant to the observations made in the aforesaid order, suo motu contempt proceedings came to be initiated.



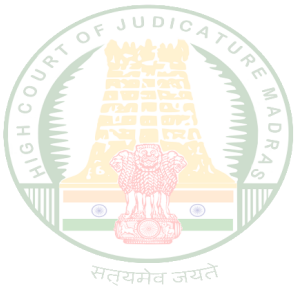
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3. Thereafter, the contempt petition was listed before the Division Bench comprising the Hon'ble Mr.Justice P.N.Prakash and the Hon'ble Ms.Justice R.N.Manjula, and by order dated 04.10.2021, the learned Judges considered the conduct of the contemnor. Taking note of the repeated allegations made by the contemnor and the manner in which he had conducted himself before this Court, the learned Judges framed charges against the contemnor. For the sake of better appreciation, the order dated 04.10.2021 passed by the Division Bench is extracted hereunder:-

" Today, Mr.T.Ashok Surana is present before this Court. He was served with a copy of his affidavit and petition in W.P.No.24580 of 2017 and also the foundational order of this Court dated 12.11.2019, which formed the basis for initiation of these criminal contempt proceedings.

2. Earlier, Mr.T.Senthil Kumar, Advocate [Enrl.No.332/2012], entered appearance on behalf of Mr.T.Ashok Surana and filed his vakalath. However, today, Mr.T.Ashok Surana stated that he is withdrawing the vakalath given to Mr.T.Senthil Kumar and that he is going to appear as party-in-person.

3. T.Ashok Surana, petitioner-in-person, filed a writ petition in W.P.No.24580 of 2017, which was posted on the orders of the Hon'ble Acting Chief Justice, for hearing before a Division Bench of this Court, comprising one of us (PNPJ) and P.Rajamanickam, J. on 12.11.2019.



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4. When the said writ petition was taken up for hearing, Ashok Surana made derogatory remarks, which have been recorded in paragraphs 3 and 4 of the order dated 12.11.2019 and the same read as follows:

"3.Today, the party-in-person is present. He harangued that he will not make his submissions before this Bench, because, one of us (P.N.Prakash, J.) has 'committed genocide and crime against humanity on a scale unknown to mankind'. He further stated that he has filed a case against one of us (P.N.Prakash, J.) and on that score, this Bench should not hear this case.

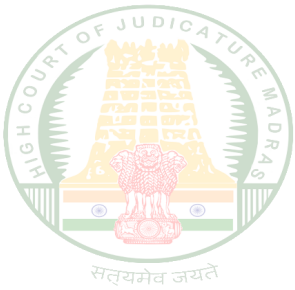
4.Under normal circumstances, this Court would have gladly recused itself from hearing this case. This is not a solitary attempt by the present party-in-person to intimidate the Judges of this Court and successfully prevent them from hearing his cases. He has adopted these tactics with more than 20 Judges of this Court and has ensured that they had recused themselves from hearing his cases. It is high time that this Court puts a full stop to such pernicious techniques. This case has been posted before us as a 'specially ordered case' by the Hon'ble Acting Chief Justice, who was the master of the roster."

The said Division Bench placed the matter before the Hon'ble Chief Justice, for appropriate orders.

5. The Hon'ble Chief Justice directed the matter to be placed before the Division Bench dealing with criminal contempt matters and accordingly, the present *suo motu* contempt petition was registered and posted before the Division Bench dealing with criminal contempt matters on 14.12.2020. The said Division Bench issued statutory notice to Ashok Surana.

6. In the above backdrop, Ashok Surana, petitioner-in-person, is liable to be charged as under :

"1. That, you, T.Ashok Surana, petitioner-in-person, made derogatory and scandalous allegations, as set out in paragraph 3 of the order dated 12.11.2019 in W.P.No.24580 of 2017, which has been extracted above, and thereby, you are charged for the above said act, under Section 2(c)(i), which is punishable under Section 12 of the Contempt of Courts Act, 1971.



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2. That, you, T.Ashok Surana, petitioner-in-person, by making the aforesaid scandalous allegations, prejudiced the due course of the judicial proceedings in W.P.No.24580 of 2017 on 12.11.2019 and thereby, you are charged under Section 2(c)(ii), which is punishable under Section 12 of the Contempt of Courts Act, 1971."

7. However, since the subject matter of the charge relates to one of us (PNPJ), the Registry is directed to place the matter before the Hon'ble Chief Justice to constitute a Bench without one of us (PNPJ) being a member, for dealing with this contempt proceedings applying the legal maxim *nemo judex in causa sua*.

Mr.T.Ashok Surana shall execute a bond for Rs.10,000/- [Rupees Ten Thousand only], before the Assistant Registrar [commercial cases], without sureties undertaking to appear before this Court whenever the matter stands listed without waiting for any further summons or notice from this Court.

Subsequently, the matter was placed before the Division Bench comprising Hon'ble Mr.Justice M.S.Ramesh and Hon'ble Mr.Justice V.Lakshminarayanan. The Division Bench, by order dated 01.07.2025, took note of the earlier proceedings arising out of W.P.No.24580 of 2017, wherein the contemnor, appearing in person, had made highly derogatory and scandalous allegations against the Co-ordinate Bench, including imputations that the High Court had committed "genocide" and "crime against humanity". The Hon'ble Judges also recorded that when the contemnor appeared before them, he reiterated the very same allegations against the

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Madras High Court and further made serious imputations against Hon'ble Judges, despite being cautioned about the consequences of such statements.

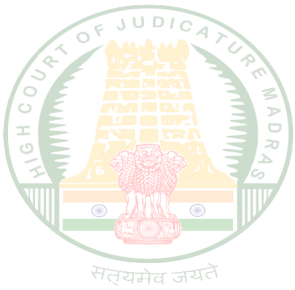
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The Division Bench observed that the repeated use of such scandalous and intemperate language against the Court and its Judges, both before the earlier Co-ordinate Bench on 12.11.2019 and again before the present Bench, prima facie amounted to criminal contempt, as the same tended to scandalise the Court and interfere with the due course of judicial proceedings. On a consideration of the contemnor's conduct and the nature of the allegations made by him, the Division Bench was satisfied that a prima facie case for criminal contempt was made out and, accordingly, by order dated 01.07.2025, framed the following charges against the contemnor:

(i) That, you, T.Ashok Surana, respondent-in-person, made derogatory and scandalous allegations, as set forth in paragraph 3 of the order dated 12.11.2019 in W.P.No.24580 of 2017, which has been stated above, and thereby, you are charged for the above said act, under Section 2(c)(i), which is punishable under Section 12 of the Contempt of Courts Act, 1971.

(ii) That, you, T.Ashok Surana, respondent-in-person, made the same derogatory and scandalous allegations against this Bench today and therefore, you are charged for the above said act, under Section 2(c)(i), which is punishable under Section 12 of the Contempt of Courts Act, 1971.

(iii) That, you, T.Ashok Surana, respondent-in-person, by making the aforesaid scandalous allegations, prejudice the due course of the



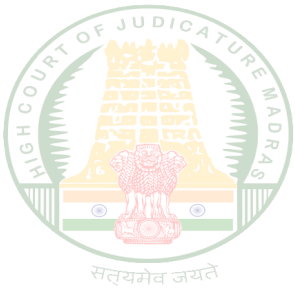
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judicial proceedings in W.P.No.24580 of 2017 on 12.11.2019 and thereby, you are charged under Section 2(c)(ii), punishable under Section 12 of the Contempt of Courts Act, 1971."

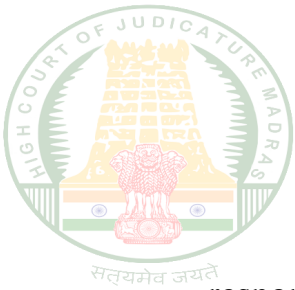
4. Despite the categorical observations and findings recorded by this Court from time to time in the earlier orders, and notwithstanding the framing of specific charges against him in the order dated 01.07.2025, the contemnor has continued to make similar derogatory and scandalous allegations even in the present proceedings before us. A perusal of the reply statement filed by the contemnor would show that he has persisted with the very same allegations. The contemnor has not shown any inclination to withdraw such statements. On the contrary, he has reiterated these allegations in his reply statement and has taken a stand calling upon the Division Bench to tender an unconditional apology to him, withdraw the contempt proceedings and recuse from hearing any matter in which he is a party. The tenor of the reply statement is wholly inappropriate and reflects a continued attempt to scandalise the institution and interfere with the due course of judicial proceedings. In this context, paragraph 3 of the reply statement filed by the contemnor is extracted hereunder:-



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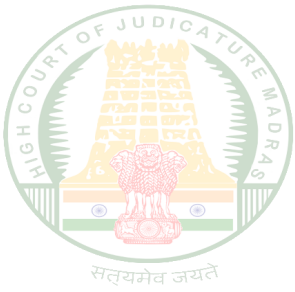
"I state that by converting this Cont P. into one of against yourselves also, this Hon ble DB has disqualified itself to hear this case. By this reply statement, you are stripped of your powers conferred by the Constitution to be exercised till you are exonerated or released by another competent authority namely another DB, or Full court. Therefore the only escape route for this Hon'ble DB to continue as Hon ble Lord Justices of this Hon'ble High Court will be my giving you an opportunity to withdraw the notice issued by this Hon'ble DB with an unabashed apology, payment of compensation and recusal to hear any case in which I am a party in future."

The tenor and language employed in the reply statement show that the contemnor has not expressed any regret or offered any apology for his earlier statements. On the contrary, he has reiterated the same allegations and has used inappropriate and intemperate expressions against this Court. The contents of the reply statement further indicate that, despite the framing of charges and repeated observations of this Court, the contemnor continues to make such allegations even in the present proceedings.



5. Though sufficient opportunity was afforded to the contemnor to respond to the charges, he has, in his reply statement, reiterated his earlier stand and attempted to justify the allegations made by him. Instead of expressing regret or tendering an apology, he has persisted with such allegations and has even called upon the Court to tender an apology. Such a stand reflects continued defiance and absence of any sincere attempt to purge the contempt.

6. This Court has carefully considered the entire material on record, including the order dated 12.11.2019 passed in the writ proceedings and the subsequent orders dated 04.10.2021 and 07.10.2025 passed by the respective Division Benches of this Court. The records disclose that even in the order dated 12.11.2019, the Co-ordinate Bench had observed that the contemnor had adopted similar tactics with more than 20 Judges of this Court and had ensured their recusal from hearing his cases. The relevant portions of the aforesaid orders, extracted above, establish that the contemnor has been repeatedly cautioned and that findings have been recorded regarding the impermissibility of his conduct. Despite such judicial observations and findings, the contemnor has persisted with the same allegations even before this Bench.



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7. The repeated making of scandalous allegations against this Court and the learned Judges, coupled with the use of intemperate and unwarranted expressions in the course of judicial proceedings, amounts to scandalising the Court and interferes with the due course of judicial proceedings and the administration of justice. This Court is therefore satisfied that the charges framed against the contemnor stand proved and that he has committed contempt of Court.

8. However, in order to afford one final opportunity to the contemnor to purge himself of the contempt, this Court is inclined to grant one last opportunity.

9. Accordingly, while holding the contemnor guilty of contempt of Court, this Court grants a final opportunity to the contemnor to file an affidavit tendering an unconditional apology for the allegations and statements made by him against this Court, the learned Judges of this Court and the judicial orders passed by them. The affidavit shall clearly express



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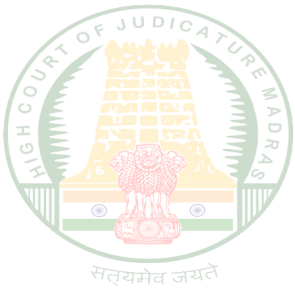
genuine regret and contain an undertaking that he shall not hereafter make any such allegations or statements. The affidavit of unconditional apology shall be filed on or before the next date of hearing. It is made clear that the apology shall be unconditional and reflect genuine regret. In the event the contemnor fails to file such affidavit within the time granted, this Court shall proceed to impose appropriate punishment under Section 12 of the Contempt of Courts Act, 1971, including sentence of simple imprisonment for a period of one month, without further reference.

10. Post the matter on 09.03.2026 for reporting compliance.

[P.V.J.,] [M.J.R.J.,]
10 / 02 / 2026

Speaking Order
Neutral Citation case: Yes

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Suo Motu Contempt Petition No.391 of 2020

P.VELMURUGAN. J.
and
M.JOTHIRAMAN, J.

r n s

Order in
Suo Motu Contempt Petition No.391 of 2020

10 / 02 / 2026