

ITEM NO.6 Court 4 (Video Conferencing) SECTION XII

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s). 3859/2021

(Arising out of impugned final judgment and order dated 12-03-2020 in CONT.P.(MD) No. 690/2019 passed by the High Court Of Judicature At Madras At Madurai)

M. HARIHARAN Petitioner(s)

VERSUS

S. RATNA DEVI & ORS. Respondent(s)

(FOR ADMISSION and I.R. and IA No.31710/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 22-03-2021 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.M. KHANWILKAR
HON'BLE MR. JUSTICE DINESH MAHESHWARI

For Petitioner(s) Mr. Karpagavinayagam, Sr. Adv.
Mr. R. Chandrachud, AOR
Mr. Abdul Kalam Bagadursha, Adv.
Mr. Nitin Kumar, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

We have heard learned counsel for the petitioner.

In our opinion, the apprehension of the petitioner is misplaced. The impugned order merely records *prima facie* view of the fact situation on the basis of which the Court is inclined to think that it is a case for initiating contempt action. It is certainly not a final opinion of the Court.

It is open to the petitioner to persuade the High Court and explain the fact situation for taking a different view of the matter, including by relying on the affidavit already placed on record before the High Court.

In the event final view taken by the High Court is against the petitioner, it will be open to the petitioner to challenge the same by way of appropriate proceedings in which all aspects can be examined on its own merits in accordance with law.

In view of the above, we decline to interfere in this special leave petition leaving all contentions available to the petitioner open.

During the course of argument, it was suggested by the counsel for the petitioner that the parties can be asked to resort to mediation and explore possibility of settlement.

It will be open to the petitioner to make that request to the High Court, which can be considered by the High Court appropriately.

The special leave petition and pending application(s) are disposed of accordingly.

(NEETU KHAJURIA)
COURT MASTER

(VIDYA NEGI)
COURT MASTER

