

VERDICTUM.IN

ITEM NO.7

COURT NO.6

SECTION II-C

**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 (Crl.) No(s). 9492/2018

(Arising out of impugned final judgment and order dated 15-05-2017 in CRLP No. 2245/2017 passed by the High Court of Judicature at Madras at Chennai)

STATE THROUGH THE INSPECTOR OF POLICE
CBI/ACB/CHENNAI

Petitioner(s)

VERSUS

S. MURALI MOHAN & ANR.

Respondent(s)

(IA NO.193391/2024 - FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 03-09-2024 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ABHAY S. OKA
HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

For Petitioner(s) Mr. Nachiketa Joshi, Sr. Adv.
Mr. Mukesh Kumar Maroria, AOR
Mrs. Swati Ghildiyal, Adv.
Ms. Satvika Thakur, Adv.
Mr. Praneet Pranav, Adv.

For Respondent(s) Mr. Siddharth Luthra, Sr. Adv.
Mr. Sri Singh, Adv.
Mr. K.V. Girish Chaudhary, Adv.
Mr. Satya Say Sumanth, Adv.
Mr. Gaganjyot Singh, Adv.
Mr. Rajat Singh, AOR
Mr. Sarthak Chandra, Adv.
Ms. Aurica Bhattacharya, Adv.

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

1. Heard the learned senior counsel appearing for the parties.
2. The challenge in this Special Leave Petition is to an order dated 15th May, 2017 passed by a learned Single Judge of the High Court of Judicature at Madras. The case made out by the petitioner

VERDICTUM.IN

is that the learned Judge (Hon'ble Dr. Justice T. Mathivanan) pronounced a one line order in the Court on 15th May, 2017. According to the case of the petitioner, on the very day, the petitioner applied for grant of a certified copy of the said order. But as per the oral information from the Registry of the Madras High Court, the learned Judge had not issued a detailed order. It is pointed out in the Special Leave Petition that the learned Judge demitted the office on 26th May, 2017.

3. Further case made out in the Special Leave Petition is that a certified copy of the impugned judgment was furnished to the petitioner on 26th July, 2017. The case made out in the Special Leave Petition is that the detailed reasoned order of the learned Judge was not available till the date on which he demitted the office.

4. Another contention raised based on Annexure P-11, which is a letter dated 11th May, 2018 addressed by the Special Public Prosecutor of CBI, Chennai to the Joint Director of CBI, Chennai Zone, Chennai. The said letter records that as per the directions of the Hon'ble Chief Justice of the Madras High Court, 09 cases, which were heard by the said learned Judge, were ordered to be heard afresh. Though the letter does not mention the case number of the present case, the submission of the learned senior counsel appearing for the petitioner is that the present case is also included in the list of 09 cases.

5. The learned senior counsel appearing for the respondents has invited our attention to a query made by the respondents under the

VERDICTUM.IN

Right to Information Act, 2005 on 17th December, 2018 seeking information about the date of the detailed order in Criminal O.P. No.2245/2017 which is the case subject-matter of this Special Leave Petition. The reply furnished by the Registrar (Administration)/PIO records that the correct date of the order passed in the said case is 15th May, 2017.

6. The dispute raised by the petitioner is not about the date mentioned on the reasoned judgment. The contention of the petitioner is that on 15th May, 2017, only a single line order was pronounced by the learned Judge and till the date on which the learned Judge demitted the office, the reasoned judgment was not available.

7. We, therefore, direct the Registrar General of the High Court of Judicature at Madras at Chennai to furnish following information:

(a) What is the date on which the detailed judgment/order dated 15th May, 2017 was received by the Registry from the Office/Chamber of the learned Single Judge;

(b) When the detailed judgment/order was uploaded on the website of the High Court; and

(c) Whether there was any administrative direction issued by the Hon'ble Chief Justice of the Madras High Court at Chennai for de novo hearing of 09 cases heard by the learned Single Judge and, if such a direction was issued, whether the case subject-matter of this Special Leave Petition has been included in the list of 09 cases.

VERDICTUM.IN

8. The Registrar (Judicial) of this Court to forward a copy of this order to the Registrar General of the High Court of Judicature at Madras at Chennai.

9. The Registrar General is requested to submit a report to this Court by the end of this month.

10. Only for the purposes of considering the report of the Registrar General, the Special Leave Petition shall be listed under the caption of "Orders/Directions" on the top of the cause list on 1st October, 2024.

(ASHISH KONDLE)
COURT MASTER (SH)

(AVGV RAMU)
COURT MASTER (NSH)