

Suo Motu Crl. Contempt Petition No.929 of 2020

P.N.PRAKASH, J.  
AND  
V.SIVAGNANAM, J.

**ORDER**

[Order of the Court was made by P.N.PRAKASH, J.]

One Ms.R.Poornima (District Judge cadre), is functioning as Registrar (Vigilance) of this Court for the last two and a half years. She has been acting under the direct supervision of the Vigilance Committee of the High Court and under the nose of the Hon'ble Chief Justice. It is common knowledge that in the last two and a half years, the Vigilance Committee has been taking serious action against delinquent judicial officers and staff members, which has earned for Ms.R.Poornima, the wrath of vested interests, who are yearning for her scalp.

2. One B.Sathish Kumar, an Advocate, filed a Writ of *Quo Warranto* in W.P.No.14434 of 2020 through Mr.P.Vijendran, Advocate, questioning the appointment of Ms.R.Poornima, on the ground that she lacks the necessary educational qualification, in which, the First Bench of this Court, by order dated 12.10.2020, dismissed the said Writ Petition with exemplary costs and also issued the following directions :

*“39. We, therefore, in the above background also direct the matter to be placed on the administrative side of the High Court for taking such appropriate measures as may be necessary in order to keep the administration free from any such impediments that are*

*likely to cause damage to the system on account of unnecessary publicity or veiled efforts made by either insiders or outsiders to unsettle the administrative machinery of the High Court.*

*40. The matter shall be placed on the administrative side for taking appropriate action or enquiry in respect of this incident.”*

The matter was considered by the High Court on the administrative side and an enquiry was conducted, based on which, a report was submitted to the Hon'ble Chief Justice, who in turn, has directed the report to be placed before this Bench, which is seized of the contempt proceedings against B.Sathish Kumar.

3. During the course of hearing of this Contempt Petition, B.Sathish Kumar came up with a version that he had acted at the behest of one U.Vasudevan, Advocate and therefore, the said U.Vasudevan was impleaded as 2<sup>nd</sup> respondent.

4. U.Vasudevan and B.Sathish Kumar, Advocates have filed their affidavits, wherein, they are trading charges against each other, one blaming the other for the misadventure in filing the Writ of *Quo Warranto*. While that being so, we carefully scrutinised the materials gathered by the vigilance detachment unit of the High Court and we are shocked to find that the matter is not as simple as what it appears to be.

5. We *prima facie* find the names of judicial officers, staff members,

advocates *et al* having worked in tandem to destroy this institution from inside. Therefore, we cannot allow this matter to rest at ease. In order to ensure impartiality and transparency, we are ordering the transfer of this file from the office of the Registrar (Vigilance), since Ms.R.Poornima continues to hold the said post, to Mr.S.Ganapathisamy, Officer on Special Duty, Recruitment Cell, High Court, Madras, whom we now appoint as the Nodal Officer for this case.

6. We entrust the enquiry to Ms.G.Nagajothi, I.P.S., Deputy Commissioner of Police, Central Crime Branch-I, to enquire into the entire circumstances under which the litigation in W.P.No.14434 of 2020 arose and the players and actors, who were behind this, be them judicial officers, staff members, advocates or anyone else.

7. The enquiry report of the Vigilance unit which is in our custody, is directed to be handed over to Mr.S.Ganapathisamy, for his perusal and forwarding the same to Ms.G.Nagajothi, I.P.S., for her enquiry.

8. Every organ of the State shall render its best assistance to Ms.G.Nagajothi, I.P.S., who shall have the powers of an Investigating Officer under Chapter-XII of Cr.P.C., sans arrest.

9. Ms.G.Nagajothi, I.P.S. shall directly report to Mr.S.Ganapathisamy

and shall submit a report to this Court within two weeks.

10. The State Government shall not relieve Ms.G.Nagajothi, I.P.S. from her present duties, until the completion of the enquiry that has been entrusted to her by this Court.

11. Mr.S.Ganapathisamy and Ms.G.Nagajothi, I.P.S. are directed to complete the enquiry within a period of two weeks form the date of receipt of a copy of this order and submit the same in a sealed cover to this Court.

Post this Contempt Petition on 23.03.2021. Presence of the alleged contemnors before this Court is recorded and they shall also be present before this Court on 23.03.2021.

[P.N.P., J.] [V.S.G., J.]

26.02.2021

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Note : Issue order copy by 01.03.2021

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To

1. Ms. R. Poornima  
Registrar (Vigilance)  
High Court, Madras

2. Mr. S. Ganapathisamy  
Officer on Special Duty  
Recruitment Cell  
High Court, Madras

3. The Secretary  
Home Department  
Government of Tamil Nadu  
Fort St. George  
Chennai 600 009

3. Ms. G. Nagajothi, I.P.S.  
Deputy Commissioner of Police  
Central Crime Branch-I  
Greater Chennai Police  
Vepery, Chennai-7

4. The Public Prosecutor  
High Court, Madras.

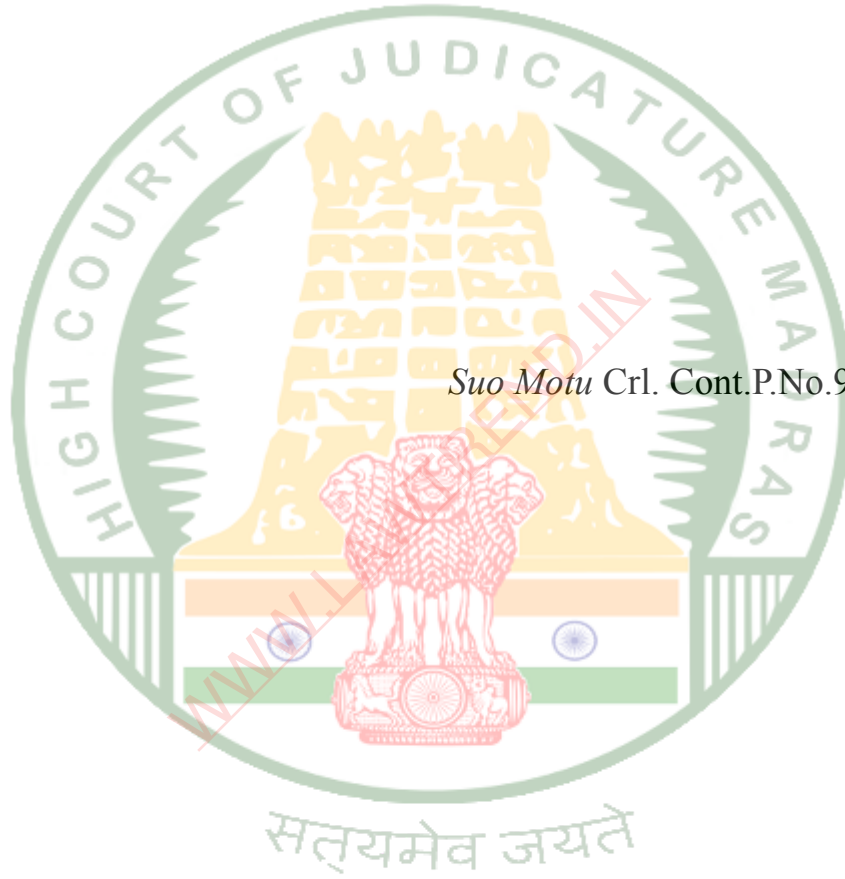


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