

ITEM NO.3

COURT NO.3

SECTION XII

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition for Special Leave to Appeal (C) No. 11237/2022

(Arising out of impugned final judgment and order dated 23-06-2022 in CMP No. 9962/2022 passed by the High Court of Judicature at Madras)

THIRU K. PALANISWAMY

Petitioner(s)

VERSUS

M. SHANMUGAM & ORS.

Respondent(s)

(IA No.88919/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.89831/2022-EXEMPTION FROM FILING O.T. and IA No.90016/2022-EXEMPTION FROM FILING O.T. and IA No.88915/2022-EXEMPTION FROM FILING O.T. and IA No.89644/2022-INTERVENTION/IMPLEADMENT and IA No.88917/2022-PERMISSION TO FILE LENGTHY LIST OF DATES and IA No.89829/2022-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES and IA No.90015/2022-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES and IA No.88914/2022-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

WITH

Diary No(s). 19425/2022 (XII)

(IA No.89597/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.89599/2022-EXEMPTION FROM FILING O.T. and IA No.89596/2022-PERMISSION TO FILE PETITION and IA No.89600/2022-PERMISSION TO FILE LENGTHY LIST OF DATES)

Diary No(s). 19419/2022 (XII)

(IA No.89276/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.89279/2022-EXEMPTION FROM FILING O.T. and IA No.89274/2022-PERMISSION TO FILE PETITION and IA No.89280/2022-PERMISSION TO FILE LENGTHY LIST OF DATES)

Date : 06-07-2022 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DINESH MAHESHWARI
HON'BLE MR. JUSTICE KRISHNA MURARI
(VACATION BENCH)

For Petitioner(s) Mr. Sidharth Luthra, Sr. Adv.
 Mr. Vijay Narayan, Sr. Adv.
 Mr. Ayush Kaushik, Adv.
 Mr. Kaustubh Seth, Adv.
 Ms. Diksha Rai, AOR
 Mr. Gowtham Kumar, Adv.
 Mr. Ankit Agarwal, Adv.

Mr. Venu Gopala Gowda, Sr Adv
 Mr. Vinodh Kanna. B, AOR
 Ms. Aakriti, Adv

Mr. C.S. Vaidyanathan, Sr. Adv.
 Mr. Balaji Srinivasan, AOR
 Mr. K. Gowtham Kumar, Adv.
 Mr. Shiva Krishnamurti, Adv.
 Mr. Prateek Yadav, Adv.
 Ms. Aakriti Priya, Adv.
 Mrs. Lakshmi R. Rao, Adv.
 Mr. Mohammed Shahrukh, Adv.
 Mr. Prabhu V., Adv.

For Respondent(s) Mr. Maninder Singh, Sr. Adv.
 Mr. Pai Amit, AOR
 Mr. Pranav Saigal, Adv.
 Mr. Anshuman Ashok, Adv.
 Ms. Pankhuri Bhardwaj, Adv.

Mr. Guru Krishna Kumar, Sr. Adv.
 Mr. Vivek Chib, Sr. Adv.
 Mr. Goutham Shivshankar, AOR
 Mr. Adit Shah, Adv.

Mr. V.N. Subramaniam, Adv.
 Ms. Anzu. K. Varkey, AOR

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

Permission to file Special Leave Petitions in Dy.
 No. 19425 of 2022 and Dy. No. 19419 of 2022 is granted.

I.A. No. 89644 of 2022 stands rejected for
 applicant being not a party to the civil suit(s) relating
 to these petitions.

Heard learned senior counsel for the petitioners

and the learned senior counsel appearing for the respective respondents in caveat.

The matters require consideration.

Issue notice, returnable in two weeks.

Mr. Pai Amit and Mr. Goutham Shivshankar accepts notice on behalf of respondent Nos. 1 and 2.

Notices, therefore, be issued to the unrepresented respondents, returnable in two weeks.

Dasti service in addition to ordinary process is permitted.

Having regard to the facts and circumstances of the case and the subject-matter of the litigation as also the contents of the order dated 22.06.2022 as passed by the learned Single Judge on the Original Side and the order dated 23.06.2022 as passed by the Division Bench of the High Court dealing with the intra Court appeals, it is considered appropriate and hence ordered and observed as under:-

a. Operation and effect of the impugned order dated 23.06.2022 shall remain stayed.

It may be clarified that though the meeting dated 23.06.2022 (forming the subject-matter of the orders aforesaid), has already been taken place but, in view of the further steps/proceedings taken up or likely to be taken up pursuant to the impugned order and pursuant to the observations/directions made therein, and looking to the questions raised in these petitions, it appears

necessary and expedient that the operation of the impugned order should remain stayed until further orders of this Court.

b. So far as the Meeting of the General Council of the respondent No. 3, slated to be held on 11.07.2022 is concerned, the same may proceed in accordance with law and in that relation, the other aspects of any interim relief ought to be projected and presented before the learned Single Judge dealing with civil suit(s) on the Original Side.

c. We do not consider it necessary to pass any other order of interim nature and all other aspects are to be examined at the appropriate stage.

d. It is made clear that pendency of these petitions in this Court shall not be of any impediment for the learned Single Judge dealing with the civil suit(s) to examine the prayer for any other interim relief and/or to pass any other necessary order, as may be required in the facts and circumstances of the case.

The respondents may file counter affidavit within two weeks.

List these matters after two weeks.

(NEETA SAPRA)
COURT MASTER (SH)

(RANJANA SHAILEY)
BRANCH OFFICER