

ITEM NO.16

COURT NO.8

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(s) for Special Leave to Appeal (C) No(s). 16303-16304/2022

(Arising out of impugned final judgment and order dated 01-09-2022 in CMP No. 13117/2022 01-09-2022 in CMP No. 7981/2022 passed by the High Court Of Judicature At Madras)

J. MOHAMMED NAZIR & ANR.

PETITIONER(S)

VERSUS

MAHASEMAM TRUST & ORS.

RESPONDENT(S)

(FOR ADMISSION and I.R.)

Date : 23-09-2022 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE AJAY RASTOGI
HON'BLE MRS. JUSTICE B.V. NAGARATHNA

For Petitioner(s) Mr. K. Subramanian, Sr. Adv.
Mr. E. C. Agrawala, AOR
Mr. Sunil Murarka, Adv.
Mr. Pankaj Agarwal, Adv.

For Respondent(s)

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

A very unusual situation has been brought to our notice by the learned Counsel for the petitioners that the Division Bench of the High Court in CMP No. 7981/2022 concluded the hearing and reserved for judgment on 29.08.2022 and it was pronounced on 01.09.2022 in the open Court. The order which was pronounced by the High Court

in the open Court on 01.09.2022 and which the petitioners have downloaded from the website of the High Court is at Page '7A' onwards, but after few days, this order was replaced and a different order was uploaded and certified copy is available of a different order, which is at Page '1" onwards.

We have gone through both the orders. Certain paragraphs are conspicuously missing/deleted from the order which is now available on the website of the High Court and if a person apply for a certified copy, he will get the order which is at Page '1" and has informed that after few days, the order which commences from page '7A' was removed from the website and the counsel who appeared before the High Court on behalf of the petitioners has also filed his own affidavit that what was pronounced by the High Court in the Open Court on 01.09.2022 is at page '7A' onwards and it was downloaded by the petitioners from the website of the High Court.

Before we go into the merits of the grievance of the petitioners which has been raised before us, this matter requires a further inquiry at the level of the Registrar General of the High Court and the respondents may also respond to the statement recorded by us.

Issue notice to the respondents and also to the Registrar General of the High Court of Madras returnable on 14.11.2022.

The Registrar General of the High Court shall place the factual report before this Court in a sealed cover on the next date of hearing.

In the meanwhile, the parties shall maintain status quo in terms of the order dated 28.04.2022 passed by the High Court until

further orders.

Copy of this order be sent to the Registrar General, High Court of Madras for necessary compliance.

(POOJA SHARMA)
COURT MASTER (SH)

(MONIKA DEY)
COURT MASTER (NSH)