

PETITIONER:
SUB-COMMITTEE ON JUDICIAL ACCOUNTABILITY

Vs.

RESPONDENT:
JUSTICE V. RAMASWAMI

DATE OF JUDGMENT 20/10/1994

BENCH:
VENKATACHALLIAH, M.N.(CJ)
BENCH:
VENKATACHALLIAH, M.N.(CJ)
AHMADI, A.M. (J)
KULDIP SINGH (J)

CITATION:
1995 SCC (1) 5 1994 SCALE (4)634

ACT:

HEADNOTE:

JUDGMENT:
ORDER

1.The "Sub-Committee on Judicial Accountability", a group of members of the legal profession, has brought this petition for suo motu initiation of proceedings for criminal contempt against the respondent. The matter is stated to arise out of a letter dated 21-1-1992 which the respondent wrote to the Enquiry Committee constituted under the Judges (Inquiry) Act, 1968 in certain proceedings for removal of the respondent initiated by Parliament. In this letter the respondent is said to have made certain sweeping allegations against certain Judges and the Judiciary. A copy of that letter is Annexure 'N' to the petition.

2.We have heard learned counsel for the petitioner and have sought the assistance of Shri Dipankar Gupta, learned Solicitor General. We place on record our appreciation of the valuable assistance rendered by the learned counsel on both sides.

3.There is a Criminal Miscellaneous Petition No. 2164 of 1992 filed by Shri K.K. Jha, 'Kamal', Advocate, Patna High Court, for intervention. In our opinion, this application for intervention is misconceived and is dismissed.

4.Though the letter, read by itself, raises certain apprehensions about its propriety, however, the respondent himself by his subsequent letter dated 28-3-1992, which has since been brought on record, has explained the context in which it was written and the apprehensions about the generality of its sweep stand mitigated. However, we feel that a lot of misunderstanding could have been avoided if the letter Annexure 'A' had not been written. We are unhappy that it came to be written.

5.But, on a careful consideration of the matter we, while expressing our unhappiness about the episode, however think we should decline in the larger interest to suo motu institute any proceedings for contempt against the respondent. The petition is dismissed accordingly.

JUDIS