

## ORDER

The following charges/incidents have been proved against the accused Judges namely: 1) CHIEF JUSTICE OF INDIA; 2) JUSTICE DIPAK MISRA; 3) JUSTICE J. CHELAMESWAR; 4) JUSTICE RANJAN GOGOI; 5) JUSTICE MADAN B. LOKUR; 6) JUSTICE PINAKI CHANDRA GHOSE; 7) JUSTICE KURIAN JOSEPH, 8) JUSTICE MRS. R. BANUMATHI.

The Suo Motu Contempt Petition No.1 of 2017 has been misconceived after unusual Constitutional Bench being constituted and ordered on the very same day i.e. 08.02.2017 while restraining my judicial and administrative work without assigning valid reasons and without giving an opportunity to the victim Judge since he is also holding Constitutional office and who belongs to Hindu Adi Dravida Community which comes under the Scheduled Caste category. The accused 1 to 7 with malafide intention due to conspiracy and passed an harassment order out of law. This Contention has been proved through material evidence that is a copy of the order dated 08.02.2017.

Again the said case was posted on 13.02.2017 for my appearance before the accused Court 1 to 7 but the victim Judge did not appear, however he suitably replied to the accused Judges 1 to 7 stating that the said impugned order is not



maintainable, as such the same cannot be executed against the victim Judge. The objection simply ignored by the accused 1 to 7 and directed the victim to appear before him on 10.03.2017 further the harassment order dated 08.02.2017 continued until then. This is an additional insult and harassment in the public institution . In order to prove this Contention the material evidence i.e. the order copy dated 13.02.2017 is very much available in all the concerned files.

On 10.03.2017 again the accused Judges 1 to 7 heard the case and directed the Director General of Police to serve bailable warrant on the victim since he had not appeared in the open Court. As per the order of the accused 1 to 7 , the Director General of Police and his huge number of subordinates came to my residence on 17.03.2017 for the purpose of executing the said bailable warrant issued by the accused. However, I refused to execute the bailable warrant and assigned logical reasons stating that the said Contempt Proceeding has been initiated by the accused in order to insult the victim a Dalit Judge. This contention clearly proved by the order copy dated 10.03.2017 available on the various concerned files which is documentary proof.



However the victim Judge (myself) requested the accused 1 to 7 on 31.03.2017 at about 10 a.m. through the Registrar General, Supreme Court of India for my appearance in the chamber. The victim Judge's request is rejected and asked the victim Judge to appear in the open Court, during the discussion the 1<sup>st</sup> accused has raised a question "Mr. Karnan how is your mental health?" and I replied that "Your Lordships erroneous orders disturbed my mind to do my usual work." Again the 1<sup>st</sup> accused told to the victim Judge, your mind is not clear, therefore the matter is again adjourned by 4 weeks and saying in the meantime "you may engage a senior Advocate for assistance." The victim Judge replied to the Hon'ble Bench that an advocate assistance is not required since the victim(myself) is more competent to proceed the case, besides I have disposed about 25,000 cases during my tenure as a Judge, then the 1<sup>st</sup> accused criticized me in the open Court that all the 25,000 cases were dismissed. The victim Judge replied to the accused Judges 1 to 7, all the cases were disposed on merits.

The 1<sup>st</sup> accused asked me to tender an unconstitutional apology; I refused the same since there is no discussion on findings that I am a contemnor.



Thereafter the accused Judges adjourned the case to 01.05.2017 and the earlier orders will continue till then. In order to prove the above mentioned contentions the order copy dated 01.05.2017 is available with the accused Judges 1 to 7 and this is also material evidence and circumstantial evidence which has been witnessed by about 1,000 Advocates in the open Court. This kind of behaviour by the accused Judges 1 to 7 amounts to continues harassment towards an innocent Dalit Judge.

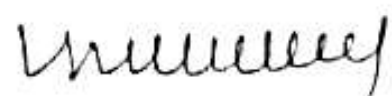
On 01.05.2017 the accused Judges 1 to 7 have issued a direction to the Director General of Police, West Bengal to arrange for medical treatment with a team of psychiatric Doctors attached to the Government Hospital, Kolkata, accordingly the top most Police Officers and his huge number of Sub-ordinates along with 3 Doctors arrived to my residence on 04.05.2017. I received them and offered my hospitality. I also submitted a statement to the concerned Doctors stating that medical treatment for myself is not required since I am normal, then the Police Officers and practising medical Doctors left my residence. The same was witnessed by the Press Medias and Electronic Medias besides the general public. This kind of grave insult to the victim in a public place is a big insult and it meant to spoil my image with the society. In order to prove this harassment, the circumstantial



evidences available on the medias and copy of the order available on the various appropriate officers. It clearly proves that the accused Judges 1 to 7 are persistently and wantonly showing harassment with intention, following the intention that arises from preparation and attempting to complete the intention. As such all the accused Judges 1 to 7 are squarely covered under the SC/ST Atrocities Act.

On 15.02.2016 the 1<sup>st</sup> and 8<sup>th</sup> accused jointly passed an identical order and restrained the victim Judge's Judicial and Administrative work from 15.02.2016 to 09.03.2016 at Madras High Court, therefore, the accused Judges 1 & 8 are also punishable under the Act as mentioned above. Therefore all the accused Judges 1 to 8 are subject to punishment under Section 3, Sub-sections(1), (m),(r) & (u) of the Scheduled Caste & Scheduled Tribes Atrocities Act.

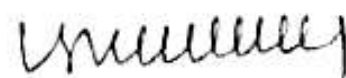
The first accused had directed Mr.Justice S.K.Kaul , when he was the Chief Justice of the Madras High Court to block my Judgments, which had been pronounced between 15.02.2016 to 07.03.2016, accordingly my judgments pronounced at the Madras High Court had been blocked without assigning any valid reasons. The intention of the 1<sup>st</sup> accused was to send me out of



the Institution. In order to prove this contention the material evidence i.e. official proceedings available on the file of the Madras High court Registry.

The accused 1 to 7 have constituted an unusual Bench in order to curtail the Appellate provision, as such the conspiracy of the accused has been proved. This also come within the serious Atrocity metered against the victim Judge.

On considering the history of the case and the views of this Court on the basis of documentary proof and the orders of the accused 1 to 8, dated 15.02.2016, 08.02.2017, 13.02.2017, 10.03.2017, 31.03.2017 and 01.05.2017, all the orders clears the intention of all the accused in order to harass the Dalit Judge/this Court/Justice C.S.Karnan. Therefore, the accused constituted an unconstitutional Bench which amounts to premeditated preparation and executed the same on 15.02.2016 and 18.02.2017. As a result this Court's Judicial and Administrative work have been restrained. Therefore all the accused with a common intention have harassed a Dalit Judge after misusing the Contempt Proceedings, out of Court procedure of law, original jurisdiction and cause of action. As such all the



accused 1 to 8 have operated judicial and administrative power and harassed a Dalit Judge besides insulting me at a public institution. The same has been proved beyond all the reasonable doubt from their orders. Hence, an adjudication is not required in the instant case. Therefore there is no prejudice to the accused 1 to 8.

All the accused 1 to 8 have covered and committed an offence alleged under Section 3, Sub-section (1)(m),(r) and (u). Therefore, the accused 1 to 8 shall be punished since they have committed a heinous crime, the same can be treated as Caste discrimination. Hence all the accused 1 to 8 have no locus standi to continue as Judges of the Supreme Court. Therefore, the accused 1 to 8 shall be punished under the Schedule Caste and Schedule Tribes Atrocities Act, 1989.

Therefore on the above stated particulars and considering the available documents this court come to conclusion that the above said accused 1. CHIEF JUSTICE OF INDIA; 2) JUSTICE DIPAK MISRA; 3) JUSTICE J. CHELAMESWAR; 4) JUSTICE RANJAN GOGOI; 5) JUSTICE MADAN B. LOKUR; 6) JUSTICE PINAKI CHANDRA GHOSE; 7) JUSTICE KURIAN JOSEPH, 8) JUSTICE MRS. R. BANUMATHI are jointly committed the offences punishable under the SC/ST Atrocities Act of 1989 and amended Act of 2015.



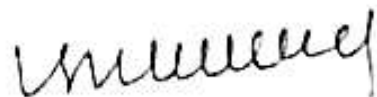
Therefore this Court imposes the punishment as under :

(1) Under Section 3, sub-Section (1)(m) of the SC/ST Atrocities Act the accused 1 to 8 imposed to undergo a sentence of 5 years rigorous imprisonment and to pay a fine of Rs. 100000/- each failing which to undergo further 6 months of imprisonment.

(2) Under Section 3, sub-Section (1)(r) of the SC/ST Atrocities Act the accused 1 to 8 imposed to undergo a sentence of 5 years rigorous imprisonment and to pay a fine of Rs. 100000/- each failing which to undergo further 6 months of imprisonment.

(3) Under Section 3, sub-Section (1)(u) of the SC/ST Atrocities Act the accused 1 to 8 imposed to undergo a sentence of 5 years rigorous imprisonment and to pay a fine of Rs. 100000/- each failing which to undergo further 6 months of imprisonment.


The fine amount shall be paid within a period of one week to the National Commission, Scheduled Caste and Scheduled Tribes Constitutional body, Khan Market, New Delhi, from date of receipt of this order.



All the accused 1 to 8 shall undergo the sentence concurrently. This Court directs the Commissioner of Police, New Delhi, to execute the order. If the accused aggrieved by this order they are at liberty to approach Parliament. Until such time the accused 1 to 8 shall not hold office and not be permitted to deal in any cases on the file of the Supreme Court besides any administrative orders.

The accused 1 to 8 shall surrender their respective Passports as per the earlier order given on 13.04.2017 to the Commissioner of Police or any other Police officer attached to the head of the department of the New Delhi Police. The Immigration Authority shall not issue any Visa to the accused persons 1 to 8 to travel abroad. This observation is in order to avoid the spread of Caste discrimination to other religious and castes free Countries. This Court further directs the Airport Authority, New Delhi not to permit them to go abroad until the Parliament arrived at a conclusion on this crucial issue, if the accused approach the Parliament.

The accused 1 to 7 are not permitted to proceed with the Suo Motu Contempt Petition No.1 of 2017 any further since the accused 1 to 7 are convicted as accused. The compensation a



sum of Rs.14 crore to be paid by the accused 1 to 7 to the victim Judge, the same has been ordered on 13.04.2017 which stands declared and in force. As of now the same has not been challenged. As such the said order stands declared and suitable for execution. Therefore this Court directs the Registrar General attached to the Supreme Court is to recover the said amount from the salary of each of the accused and remit the same to my account through the Registrar General, Calcutta High Court, since I have been victimized extensively by the accused with malafide intention. Likewise the 8<sup>th</sup> accused is also liable to pay a compensation a sum of Rs. 2 crore. The Registrar General, Supreme Court is to recover the same amount from the 8<sup>th</sup> accused and remit the said amount in my account.

I direct the Hon'ble Union Government and other State Governments who need not avail the services of the accused 1 to 8 in future since they are functioning out of law for their personal gain. It clearly proves in the instant case that the accused misused their Judicial and administrative powers for their personal gain, hence they have colluded with 20 corrupt Judges who are listed in my complaint dated 27.01.2017.



This Court directs the Registrar General, High Court, Calcutta to send the copy of the judgment to the accused 1 to 8 in accordance with Calcutta High Court format through suitable messenger attached to the Calcutta High Court, Judicature, shortly in person.

According to the above said Act under Section 12, sub-Section (4) of the Act the victim has to be paid relief by the appropriate Government. The victim is to be paid Rs. 85000/- for the Section 3(1)(m), and Rs. 100000/- for the Section 3(1)(r) and Rs. 100000/- for the Section 3(1)(u), total Rs.2,85,000/- is to be paid as relief to the victim. This Court directs the District Magistrate of Kolkata to take necessary administrative arrangements and to provide the relief in cash or in kind to be paid to the victim i.e. Justice C.S. Karnan of High Court at Calcutta.

Accordingly ordered,

Pronounced by me in the make-shift Court, Rosedale Tower,  
New Town, Kolkata.

  
( **Justice C.S.Karnan** )

Copy to :-

1. Chief Justice of India; Supreme Court of India, New Delhi.
2. Justice Dipak Misra; Supreme Court of India, New Delhi.
3. Justice J.Chelameswar; Supreme Court of India, New Delhi.
4. Justice Ranjan Gogoi; Supreme Court of India, New Delhi.
5. Justice Madan B. Lokur; Supreme Court of India, New Delhi.
6. Justice Pinaki Chandra Ghose, Supreme Court of India, New Delhi.
7. Justice Kurian Joseph; Supreme Court of India. New Delhi.
8. Mrs. Justice R. Banumathi; Supreme Court of India, New Delhi.
9. The Director, Air Port Authorities, New Delhi.
10. The Commissioner of Police, New Delhi.
11. The Immigration Officer, New Delhi Airport.
12. The District Magistrate, Kolkata.
13. One copy on the file of the Registrar General, Calcutta High Court.

Suo-Motu Criminal Case No.1 of 2017 on the file of Calcutta High Court, Judicature at Calcutta.

  
(Justice C.S.Karnan)