



H.C.P.No.1163 of 2024

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M.S.RAMESH, J.

and

SUNDER MOHAN, J.

(Order of the Court was made by *M.S.RAMESH, J.*)

In accordance with the observations of the Hon'ble Supreme Court to dispose of this Habeas Corpus Petition expeditiously, we had taken up the present Habeas Corpus Petition today for final hearing and disposal. This Habeas Corpus Petition has been filed by the petitioner seeking to quash the detention order dated 12.05.2024 made against her son Shankar @ Savukku Shankar.

2. After hearing the initial submissions of Mr.John Sathyan, learned Senior Counsel appearing for the petitioner, we had heard the reply of Mr.E.Raj Thilak, learned Additional Public Prosecutor, appearing for the respondents. During the course of his reply, he had produced a paper book to be made as a part of the Court records, relating to a Transfer Petition bearing Transfer Petition (Crl.) No.597 of 2024 made by the petitioner, seeking for transfer of the present Habeas Corpus Petition No.1163 of 2024 to the Hon'ble Supreme Court of India or a Court of competent jurisdiction.



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WEB COPY 3. Our attention was drawn to paragraph (k) of page 11 of the paper book, wherein the petitioner had made certain adverse remarks on our previous proceedings dated 12.06.2024. In the said paragraph, it was stated that we had declined to take up her case out of turn and had also granted liberty to the petitioner to approach the State Government seeking for temporary release, which course of action was “shocking” to her. In the same Transfer Petition, she had also, in more than one place, stated that “Justice must not only be done, but must also be seen to be done”.

4. The manner in which the petitioner had remarked about our Court proceedings was, in our view, unwarranted. In this background, while expressing our anguish, we had informed the learned Senior Counsel for the petitioner that it would not be appropriate for us to continue hearing this petition.

5. Accordingly, we recuse ourselves from hearing the present Habeas Corpus Petition No.1163 of 2024.



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6. Registry is called upon to place the present order before the

WEB CO Hon'ble Acting Justice for obtaining necessary orders in this regard.

[M.S.R., J] [S.M., J]
26.07.2024

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26.07.2024