

No. /JUD/A/2020  
GOVERNMENT OF PUDUCHERRY  
JUDICIAL DEPARTMENT  
\*\*\*

27<sup>th</sup> March, 2020.

PROCEEDINGS OF THE CHIEF JUDGE, PUDUCHERRY.

Sub: COVID 19 – Nation wide lockdown – Automatic extension of interim orders till 30.04.2020 – Instructions issued – Reg.

- Ref: 1. Circular in ROC No.1363/2020/RG, dated 24.03.2020.  
2. Proceedings, dated 26.03.2020, of the Chief Judge, Puducherry.  
3. Order passed by the Hon'ble High Court, Madras in  
Suo Motu W.P.No.7413 of 2020, dated 26th March, 2020.  
4. Order passed by the Hon'ble High Court, Madras in  
Suo Motu W.P. (MD) No. 6126 of 2020, dated 26th March, 2020.

I am forwarding the attachment regarding COVID 19 Automatic Extension of Interim Orders and Remand Extension of the Hon ble High Court, Madras, passed in Suo Motu WP(MD) 6126 of 2020 and more particularly, Direction No.9 in Suo Motu WP(MD) 7413 of 2020, both dated 26.03.2020, for compliance and necessary action.

Sd./-  
(P. DHANABAL)  
CHIEF JUDGE  
PUDUCHERRY

To

1. All Judicial Officers, Puducherry, Mahe and Yanam.
2. All Heads of Offices, Judicial Department, U.T. of Puducherry – with directions to instruct all the bench clerks and other staff under their unit to adhere strictly to the above instructions.
3. The District Collector, Government of Puducherry at Puducherry/Karaikal.
4. The Under Secretary to Government, Law Department, Puducherry, to bring the contents of the proceedings to the notice of all the Government Pleaders and Assistant Government Pleaders in the UT of Puducherry.
5. The Director of Prosecution, Government of Puducherry, to bring the contents of the proceedings to the notice of all Public Prosecutors/Assistant Public Prosecutors in the UT of Puducherry.
6. The Director General of Police, Government of Puducherry.
7. The President/Secretary of the Bar Associations of Puducherry/Mahe/Yanam.

8. The Chief Superintendent of Jails, Puducherry – for necessary instructions to the Jail authorities in Puducherry/Mahe/Yanam.

***Suo Motu* W.P. (MD) No. 6126 of 2020**

(Based on the letter of the Hon'ble Chief Justice, High Court,  
Madras dated 26<sup>th</sup> March, 2020)

**P.N. PRAKASH, J.**  
**AND**  
**S.S. SUNDAR, J.**

(Order of the Court was made by **P.N. PRAKASH, J.**)

There may have been many cases in the High Court as well as in the Subordinate Courts and Tribunals under the superintendence of the High Court with limited interim orders operating as on 20<sup>th</sup> March, 2020. There is every likelihood that some of these interim orders, that were not until further orders, may be expiring on 20<sup>th</sup> March, 2020 or even thereafter being limited in nature.

2 In the wake of the public announcement of the Government of India of complete lockdown in the entire nation, accessibility to Courts and Tribunals on account of their extreme limited functioning have caused inconvenience to the litigants and the lawyers alike. Lawyers and litigants are not in a position to conveniently appear in their matters and with the complete lockdown announced with effect from the midnight of 24<sup>th</sup> / 25<sup>th</sup> March, 2020, it has become difficult for the citizens to approach the Courts of law to take

recourse to legal remedies. Requests have been received on the judicial side for extension of interim orders that are expiring and also for extending the time period for vacating the premises in eviction matters. To ensure that citizens are not deprived of the fruits of the interim orders granted by the High Court, subordinate Courts or the Tribunals, as the case may be, on account of their inability in the present situation to approach the respective forums, it would be appropriate for the passing of a suitable judicial order in this regard. Therefore, the following directions are issued for the present:

1. In exercise of the powers under Art.226 and Art.227 of the Constitution of India read with Sec.482 and Sec.483 of CrPC, keeping in view the extraordinary situation which has arisen, it appears appropriate to undertake extraordinary remedies by issuing certain directions in order to ensure the smooth administration of justice and prevent any form of obstruction or miscarriage of justice.
2. All interim orders passed by the High Court at Madras – Principal Seat that were subsisting as on 20<sup>th</sup> March, 2020, may stand extended till 30<sup>th</sup> April, 2020, unless vacated or modified earlier or until further orders of the Court, unless specifically dealt with by any judicial order to the contrary.

3. All orders of eviction, dispossession or demolition which have not been executed till date on the orders of the High Court, District Courts or the Civil Courts, shall remain in abeyance till 30<sup>th</sup> April, 2020 unless vacated or modified earlier by any judicial order passed by the appropriate forum by which it was issued.
4. All orders passed by the Courts exercising criminal jurisdiction having granted bail, anticipatory bail or parole, *etc.*, for a limited period which are likely to expire on or before 30<sup>th</sup> April, 2020, shall stand extended till 30<sup>th</sup> April, 2020, subject to any orders passed by the said forums even before the said expiry date or thereafter, to enable the respective Courts to deal with any abuse of the orders of the concerned party.
5. The aforesaid directions may be subject to any orders to the contrary having been passed by the Supreme Court of India in any particular matter.
6. It can also be clarified that in case the extension of the interim orders causes undue hardship of any extreme nature to any of the parties to such proceedings or a matter of extreme urgency being indicated by the State or its authorities, they would be at liberty to seek appropriate relief as may be advised.

**P.N. PRAKASH, J.**  
**and**  
**S.S. SUNDAR, J.**  
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7. Such interim orders or directions, which are not of a limited duration, shall continue to operate and will remain unaffected.
8. General encroachment drives, State revenue recovery measures, proceedings relating to demolition and eviction and other actions that are likely to give rise to an immediate litigation in the High Court, may be kept temporarily in abeyance, subject to any measures for which advice may be sought from the learned Advocate General.
9. Since it is not possible to produce the remand prisoners for extension of remand either under Section 167 or Section 309 Cr.P.C. before various Courts in the State, either in person or *via* video conferencing, as that would require opening of the Courts and requisitioning of staff members, we direct that all remands stand extended till 30.04.2020 without prejudice to the right of the prisoner to be released on bail in the meantime.

**[P.N.P., J.] [S.S.S.R., J.]**  
**26.03.2020**

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*Suo Motu* W.P. (MD) No. 6126 of 2020

**Suo Motu W.P.No.7413 of 2020**

(Based on the letter of the Hon'ble Chief Justice, High Court,  
Madras dated 26<sup>th</sup> March, 2020)

**M.SATHYANARAYANAN, J.**

**AND**

**ABDUL QUDDHOSE, J.**

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

There may have been many cases in the High Court as well as in the Subordinate Courts and Tribunals under the superintendence of the High Court with limited interim orders operating as on 20<sup>th</sup> March, 2020. There is every likelihood that some of these interim orders, that were not until further orders, may be expiring on 20<sup>th</sup> March, 2020 or even thereafter being limited in nature.

In the wake of the public announcement of the Government of India of complete lockdown in the entire nation, accessibility to courts and tribunals on account of their extreme limited functioning have caused inconvenience to the litigants and the lawyers alike. Lawyers and litigants are not in a position to conveniently appear in their matters and with the complete lockdown announced with effect from the midnight of 24<sup>th</sup> / 25<sup>th</sup> March, 2020, it has become difficult for the citizens to approach the courts of law to take recourse to legal remedies. Requests have been received on the judicial side for extension of interim orders that are expiring and also for extending the time period for vacating the premises in eviction matters. To ensure that citizens are not deprived of the fruits of the interim orders granted by the High Court,



subordinate courts or the tribunals, as the case may be, on account of their inability in the present situation to approach the respective forums, it would be appropriate for the passing of a suitable judicial order in this regard. Therefore, the following directions are issued for the present:

1. In exercise of the powers under Art.226 and Art.227 of the Constitution of India read with Sec.482 and Sec.483 of CrPC, keeping in view the extraordinary situation which has arisen, it appears appropriate to undertake extraordinary remedies by issuing certain directions in order to ensure the smooth administration of justice and prevent any form of obstruction or miscarriage of justice.
2. All interim orders passed by the High Court at Madras – Principal Bench that were subsisting as on 20<sup>th</sup> March, 2020 may stand extended till 30<sup>th</sup> April, 2020 unless vacated or modified earlier or until further orders of the Court unless specifically dealt with by any judicial order to the contrary.
3. All orders of eviction, dispossession or demolition which have not been executed till date on the orders of the High Court, District Courts or the Civil Courts, the same shall remain in abeyance till 30<sup>th</sup> April, 2020 unless vacated or modified earlier by any judicial order passed by the appropriate forum by which it was issued.
4. All orders passed by the Courts exercising criminal jurisdiction having granted bail, anticipatory bail or parole etc., for a limited period which are likely to expire on or before 30<sup>th</sup> April, 2020 shall stand extended till



30<sup>th</sup> April, 2020 subject to any orders passed by the said forums even before the said expiry date or thereafter to enable the respective courts to deal with any abuse of the orders of the concerned party.

5. The aforesaid directions may be subject to any orders to the contrary having been passed by the Hon'ble Supreme Court of India in any particular matter.
6. It can also be clarified that in case the extension of the interim orders causes undue hardship of any extreme nature to any of the parties to such proceedings or a matter of extreme urgency being indicated by the State or its authorities, they would be at liberty to seek appropriate relief as may be advised.
7. Such interim orders or directions which are not of a limited duration shall continue to operate and will remain unaffected.
8. General encroachment drives, State revenue recovery measures, proceedings relating to demolition and eviction and other actions that are likely to give rise to an immediate litigation in the High Court may be kept temporarily in abeyance subject to any measures for which advise may be sought from the learned Advocate General.

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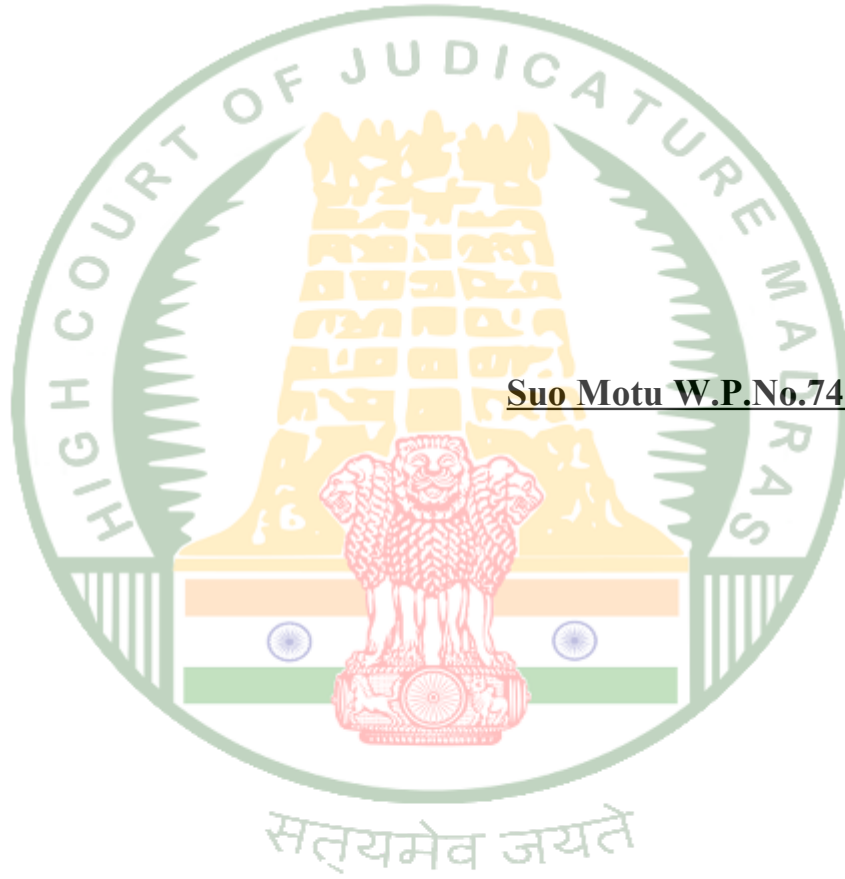
[M.S.N., J.] [A.Q., J.]  
26<sup>th</sup> March, 2020

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Suo Motu W.P.No.7413 of 2020

**M.SATHYANARAYANAN, J.**  
**AND**  
**ABDUL QUDDHOSE, J.**

Jvm



**Suo Motu W.P.No.7413 of 2020**

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**26<sup>th</sup> March, 2020**