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### Coimbatore Office

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### High Court Office

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### Tiruppur Office

# 544, Room No.2, I-Floor, Opp.  
to TKT Motors, Palladam Main  
Road, Tiruppur - 641 603.

**Supreme court** seeks Public Interest Litigation to investigate against Congress Sonia Gandhi, Rahul Gandhi in connected with the alleged 2008 agreement between INC and Communist Party of China. It is contented in the petition that INC signed the Agreement, despite having hostile relation with china and hide the same from the citizens of the country. Due to the lack of transparency in this matter which results in affecting true spirit of liberty, equality and fraternity which is of national importance. This could be achieved only if the agreement is investigated and secured by the National Investigation Agency (NIA) under the Unlawful Activities (Prevention) Act, 1967. The plea seeks to investigate either by NIA or CBI to be conducted in the nature of MOU which shall be monitored by MOU. **In Re. Indian National Congress and others., WRIT PETITION(CRIMINAL)NO. 0F 2019**

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**Bombay High Court** refuses to stay Reserve Bank Of India (RBI) decision to cancel co-operative bank license. It was held that the scope of interference of writ courts in the decision of RBI is extremely narrow. The steps taken by RBI is for the benefit of the depositors. The RBI is entrusted to take necessary steps in the interest of depositors, banks and public. There is no fundamental error in the approach of RBI to issue any interim direction. **Vishwas Utagi & Ors v. The State of Maharashtra., WRIT PETITION-ASDB-LD-VC-14 OF 2020.**

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**Andhra Pradesh High Court** stated that Art 16 is violated by the political executive appointment of advocates on rolls of different bar council as law officers in another state. As the result, the A.P. Bar Association and the Advocated on the rolls of the A.P. Bar council were deprived of the opportunity. Art-371 of the constitution to provide equitable opportunities and facilities to the people across the state is violated. Therefore, the post in vacant must be filled within the jurisdiction and territory of the state. Thus, an Advocate out of State Bar Council cannot be brought into is reinforced. **M.Soloman Raju V. Union Of India and others.,WRIT PETITION NO.9417 OF 2020**

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**Supreme Court** held that it was a recognized principle of law that sanction was a legal requirement which empowers the court to take Cognizance. The HC has erred in law on refusing to exercise the jurisdiction under Sec.482 of the Cr.P.C to set aside the impugned order taking cognizance of the complaint. The Court ought to exercise its power to quash the complaint instead of remitting the appellant to an application under Sec.245 of the Code of Criminal Procedure to seek discharge. **D.Devaraja V. Owasis Sabeer Hussain.,CRIMINAL APPEAL NO.458 OF 2020 arising out of SLP(CRL.)NO.1882 OF 2018.**

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**Supreme Court** refused to interfere with the Calcutta High Court Order directing the action taken against Bank of Baroda saying as it open to the Reserve Bank of India to modify the high court direction. Therefore, the RBI considering the conduct of the appellants, shall take necessary action considering the facts and circumstance of the case, related to the direction given by the High Court. **Bank of Baroda V. Indian Oil Corporation Limited & Ors., Special Leave to Appeal No.(s).5148/2020**

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**Madurai Bench of Madras High Court** takes suo motu cognizance and directs SP to file status report. The duo were allegedly killed during the police custody. Kin of the deceased and the traders were suspected that the death were due to tortures by the suspected 13 police personnel(Sathankulam Custodial Deaths). The court directs the Tirunelveli district administration to provide necessary infrastructure and support to the Judicial magistrate. Th post mortem shall be done by a team of three experts and the same shall be video graphed. **The Registrar V. The State of Tamilnadu. W.P. (MD) NO. 7042 of 2020**

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**Supreme Court** held that interim order in Writ petitions involving contractual matters should be passed only after careful weighing public interest. Therefore, the grant of interim order which impinges upon the grant of contract by the appellant is not in public interest that too without recording any reasons when the writ petitions was dismissed. **Rajasthan State Warehousing Corporation V. Star Agarwarehousing And Collateral Management Limited & Ors. CIVIL APPEAL NOS. 2651-2656 of 2020**

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**Uttarkhand High Court** held that bar on certain matters to be entertained as PIL does not preclude court from exercising inherent powers in public interest. There is no special provision on Uttarkhand Audit Act, 2012 to conduct inquiry in such matter. This would result to cause misappropriation of public funds and can claim immunity from inquiry. Therefore, action to be taken pursuant thereto. **Sonia Beniwal V. State of Uttarkhand and Others., Writ Petition (PIL) No. 191 of 2019.**

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**Telangana High Court** held that the migrants to transfer them their native the state Government to contact with the divisional Railway Manager office to take necessary arrangements for transporting the migrant workers for Bihar. **A Jeevan Kumar V. State of Telangana.,R/CRIMINAL MISC.APPLICATION NO.8507 OF 2020.**

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**Punjab and Haryana High Court** directed that Employees Union of the Post Graduate Institute of Medical Education and Research, Chandigarh proceeds on strike or hunger strike may be immediately arrested and sent in civil Imprisonment. It is cleat that respondents or any of the bearers of the Union proceed on strike or hunger strike they may be arrested immediately and sent to civil imprisonment. **Post Graduate Institute of Medical Education and Research V. Tarandeep Singh Grewal And Another.,CWP-PIL No. 160 of 2019.**

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**Madras High Court** dismissed the PIL on questioning the legality of the lockdown . the imposition of lock down or relaxing the lockdown is a matter to be decided by the instrumentalities of the Government by taking various factors and ground realities. This court cannot exercise power under Art 2226 of the Constitution of India to interfere in the decision taken to curb the pandemic. The writ is dismissed with no merits and it was not filed under public interest. **M.Immanuel V. The Government of India Writ Petition No. 8276 of 2020.**

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**Himachal Pradesh High Court** says the court can direct Polygraph test if accused consents to it. It is not legally impossible for a court to issue direction to a person to under Narco-Analysis, polygraph and Brain Electrical Activation (BEAP) test. But such



a direction shall be made consent with the person and such person may give consent or refuse to undergo such test. **Vinod Mittal V. State of H.P & another.,Cr.MMO No.596 of 2018.**

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**Madras High Court** says that leaders in public life not only have responsibility but also have constitutional duty to promote harmony transcending religious , linguistic, regional, Sectional diversities to renounce practices derogatory to the dignity of the women. In this case DMK Rajya Sabha MP and the Secretary was granted bail for which he made a disrespectful remarks on the oppression classes. The bail was misused. Therefore, it is contented that jail is a rule bail is an exception. It will not only infringe fundamental rights of the citizen but also have serious consequence.The **State rep. by Assistant Commissioner of Police V. Mr. R.S. Bharathi.,Crl.A.No.249 of 2020.**

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**Uttarakhand High Court** held sole testimony of the victim if found reliable, it is sufficient to hold perpetrator guilty of misconduct. The testimony of eh complainant gives graphic and shocking details of the act of sexual molestation perpetrated by the petitioner on her. The enquiry committee cannot be faulted for relying on the testimony of the complaint. **Bhawan Chander Pandey V. Union of India.,Writ Petition (S/B) No. 153 of 2013.**

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**Madhya Pradesh High Court** held that the Person, Director, Managing, joint director, other officers and employees of company cannot be prosecuted under Sec.138 of the Negotiable instrument Act unless company is impleaded as an accused. **Bhupendra Suryawanshi V. Sai Traders., M.Cr.C.No. 735 /2020.**

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**Madras High Court** held that protection for prosecution under Sec.13 of the Notaries Act,1952 is not available to a notary if he does not comply with the statutory procedure under this act. If the notary abandons the statutory path, Sec 13 of the notary cannot invoke and he has to face the consequences.**Ganapathy Varatha V. The State Rep. The Inspector of Police.,Crl OP(MD)No.2669 of 2020..**

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**Kerala High Court** says no declaration of law under Art 141 of the Constitution of India, that any unregistered body can file a writ petition. It was held that writ petition filed by the unregistered body cannot be maintained. **Prathyasa Mental Health Counselling Forum V. State of Kerala., WP(C).No.11686 OF 2020.**

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**Delhi High Court** held that separate Arbitral Tribunals is a mischief. As, Under Sec 34 of the Arbitration and Conciliation Act, 1996 when the parties approach the court or at the time of hearing they are bound to disclose the other proceeding pending or adjudicated of the same contract or serious of contract. Then, he has to said the stage of such proceedings. And the proceedings shall be direct to the tribunal where the adjudication has been constituted. It is to avoid multiplicity of proceedings. **Gammon India Ltd. & Anr V. National Highway Authority of India.,OMP 680/2011 (New No. O.M.P (COMM))392/2020 & I.A.11671/2018.**

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