IN THE SUPREME COURT OF INDIA
CRIMINAL ORIGINAL JURISDICTION

WRIT PETITION (CRIMINAL) NOS. 206-210 OF 2003

N. RAVI & ORS. **PETITIONER(S)**

VERSUS

SPEAKER, LEGISLATIVE ASSEMBLY, CHENNAI & ORS. **RESPONDENT(S)**

W I T H

WRIT PETITION (CIVIL) NO. 508 OF 2003

O R D E R

1. The genesis of the present writ petitions lies in a series of articles published in the daily newspaper *The Hindu* on 12.04.2003, 13.04.2003, 23.04.2003 and 25.04.2003, reporting on the proceedings of the Tamil Nadu Legislative Assembly. Thereafter, on 26.04.2003, *The Murasoli* carried a verbatim Tamil translation of the editorial published in *The Hindu* on 25.04.2003. On the basis of these publications, the Speaker referred the matter to the Committee of Privileges under Rule 226 of the Tamil Nadu Legislative Assembly Rules, for examination and report.

2. The Committee of Privileges met on 05.05.2003 to examine the news items, articles and editorials in question, and formed the opinion that certain statements contained therein constituted, *prima facie*, a breach of privilege. Notices were, accordingly, issued to the petitioners, calling upon them to appear before the Committee on 12.05.2003 and to furnish their explanation. The petitioners appeared before the Committee and sought time to submit their written explanation.

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Date: 10.10.1 17:34:43 IST
Reason:

3. It appears that, even before the petitioners could appear before the House, the Legislative Assembly, by a resolution dated 07.11.2003, held the publications in question to constitute a gross contempt of the House and a breach of its privileges, and sentenced the petitioners to simple imprisonment for a period of fifteen days.

4. It is this action of the State Legislative Assembly that is assailed in the present writ petitions.

5. By an order dated 08.12.2003, this Court noted that substantial questions of law arose for consideration in these proceedings, touching upon the interpretation of Articles 194(3), 19(1)(a) and 21 of the Constitution, the interplay between Articles 194(3) and 19(1)(a), and the interpretation of other provisions of the Constitution. The matter was, accordingly, referred to a Five-Judge Bench.

6. In the interregnum, the Tamil Nadu Legislative Assembly passed another resolution on 30.07.2004. The relevant portion thereof has been extracted in the affidavit dated 24.08.2004 filed by Mr. V. Rajaraman, the then Secretary of the Tamil Nadu Legislative Assembly, which reads as follows:

> **"II. I state that the resolution passed by the Tamil Nadu Legislative Assembly reads as under:**
>
> **"Extract of the Government Resolution passed by the Tamil Nadu Legislative Assembly on 30.7.2004"**

> **"While publishing the proceedings of the House, the Press, in the interest of the State and in the interest of the people, should be neutral and publish the actual version of the report without giving room for any personal bias. The rules and guidelines of the House are only to prevent the publication, by any newspaper, of false and distorted news relating to the proceedings of the Assembly. If it is not ensured, the public could be misled leading to undesirable conclusions. Therefore, in the hope that the Press and the visual media will unflinchingly adhere to this essential principle which is valid for all time, and in the hope that "The Hindu" and other dailies would publish true and faithful report of the proceedings of the Assembly keeping in view the prestige, dignity and privileges of the House, I move that the resolutions passed by the House on 07.11.2003 based on the recommendations of the Committee of Privileges in the Privilege issue against "The Hindu" and other newspapers be cancelled and that all the actions taken against "The Hindu" and other dailies on the basis of those resolutions be dropped."**

7. It, however, appears that this significant subsequent development, whereby the Legislative Assembly unanimously resolved to withdraw its earlier resolution dated 07.11.2003 against the petitioners, escaped the notice of this Court. Thus, on 08.12.2004, without the benefit of this development, this Court noted that certain observations in *Pandit M.S.M. Sharma v. Sri Krishna Sinha & Ors.*, 1959 Supp. (1) SCR 806, a decision of a Five-Judge Bench, appeared to be in conflict with the exposition of the powers, privileges and immunities of State Legislatures in *Re: Special Reference No. 1 of 1964*, (1965) 1 SCR 413, a decision of a Seven-Judge Bench, notwithstanding that the latter had expressed its agreement with *Pandit M.S.M. Sharma* (supra). In view of this

apparent inconsistency, the matter was referred to a Seven-Judge Bench.

8. It is in this backdrop that the matter has now come up before us.

9. At the outset, Mr. Raju Ramachandran, learned Senior Counsel appearing for the Tamil Nadu Legislative Assembly, invited our attention to the affidavit dated 24.08.2004 filed by the then Secretary of the Assembly, which places on record the subsequent unanimous resolution of the Assembly dated 30.07.2004.

10. In view of the said resolution, whereby the earlier resolution dated 07.11.2003 stands withdrawn, learned Senior Counsel for the petitioners, the learned Attorney General for India and Mr. Raju Ramachandran, learned Senior Counsel for the Tamil Nadu Legislative Assembly, are *ad idem* that the present petitions have been rendered infructuous and that no cause of action survives for adjudication.

11. Learned Senior Counsel for the petitioners, however, drew our attention to the order dated 08.12.2004 and submitted that several substantial questions of law would otherwise arise for consideration. It was further submitted, and rightly so, that the important questions of law adverted to by this Court in the said order ought, in the circumstances, to be left open for consideration in an appropriate proceeding. We find merit in this submission.

12. Accordingly, the present writ petitions are disposed of as having been rendered infructuous. The questions of law arising for consideration are, however, left open to be adjudicated by this Court in an appropriate proceeding as and when the occasion arises.

13. Pending application(s), if any, including application(s) for intervention, stand closed.

.....CJI.
(SURYA KANT)

.....J.
(ARAVIND KUMAR)

.....J.
(PRASHANT KUMAR MISHRA)

.....J.
(JOYMALYA BAGCHI)

.....J.
(VIPUL M. PANCHOLI)

.....J.
(SHREE CHANDRASHEKHAR)

.....J.
(V. MOHANA)

NEW DELHI;
OCTOBER 06, 2026.

ITEM NO.701 COURT NO.1 SECTION X

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Writ Petition(s)(Criminal) No(s). 206-210/2003

N. RAVI & ORS. Petitioner(s)

VERSUS

SPEAKER, LEGISLATIVE ASSEMBLY, CHENNAI & ORS. Respondent(s)

(IA No. 235576/2023 - INTERVENTION APPLICATION, IA No. 126589/2024 - INTERVENTION APPLICATION, IA No. 30164/2024 - INTERVENTION APPLICATION, IA No. 24580/2024 - INTERVENTION APPLICATION and IA No. 10014/2003 - STAY APPLICATION)

WITH
W.P.(C) No. 508/2003 (X)
(IA No. 1/2003 - STAY APPLICATION)

Date : 06-10-2026 These matters were called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE ARAVIND KUMAR
HON'BLE MR. JUSTICE PRASHANT KUMAR MISHRA
HON'BLE MR. JUSTICE JOYMALYA BAGCHI
HON'BLE MR. JUSTICE VIPUL M. PANCHOLI
HON'BLE MR. JUSTICE SHREE CHANDRASHEKHAR
HON'BLE MRS. JUSTICE V. MOHANA

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Mr. Vinay Kumar Rai, Adv.
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Mr. Aayushman Aggarwal, Adv.
Mr. Shourya Das Gupta, Adv.
Mr. Tushar Shrivastava, Adv.

UPON hearing the counsel the Court made the following

O R D E R

1. The writ petitions are disposed of as infructuous in terms of the signed order.

2. Pending application(s), if any, including application(s) for intervention, stand closed.

(NITIN TALREJA)
ASTT. REGISTRAR-cum-PS

(PREETHI DILEEP KUMAR)
DY. REGISTRAR

(Signed order is placed on the file)