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# A Critical Study on the Power of the Supreme Court in matters of Contempt of Court

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## ABSTRACT

*A critical study on the power of the Supreme Court in contempt of court matters involves examining legal precedents, jurisdiction and the balance between upholding judicial dignity and the protecting of free speech. It requires a thorough analysis of cases and scholarly articles on contempt law to understand the evolving dynamics of this judicial authority. The aim of the study is To know the power of the contempt of court and To analyze whether the public perceives the Supreme Court's action in the contempt cases . It also studies whether the courts contempt powers infringe on freedom of speech. The type of research adopted here is the empirical research. A total of 200 samples have been collected. The samples have been collected through a non-probability- convenient sampling method. The sample frame taken here is through online, in and around Chennai, Tamil Nadu. The independent variables are age, gender, marital status, and educational qualification. The dependent variables are contempt of court, judicial accountability etc. The opinion of the respondents that power of contempt of court is statutory law and 19.50% of the respondents have chosen the statutory law and 4% has chosen the amendment of the constitution is the major finding. In conclusion, the critical study on the power of the Supreme Court in the matter of contempt of court has provided valuable insights into public perceptions and attitudes towards this crucial aspect of judicial authority. The survey results indicate a nuanced understanding among respondents regarding the sources of court power.*

**Keywords:** *Legal precedents, Free speech, Jurisdiction , Checks and balances.*

## I. INTRODUCTION

The power of the Supreme Court in contempt of court matters is a complex and pivotal aspect of judicial authority, shaping the delicate balance between upholding the dignity of the judiciary and safeguarding individual liberties. This critical study aims to dissect the various dimensions of this power, examining legal precedents, constitutional foundations, and the evolving

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dynamics of contempt law. By delving into landmark cases, procedural aspects, and the theoretical underpinnings, this research seeks to offer a comprehensive analysis that contributes to a nuanced understanding of the Supreme Court's role in matters of contempt. In navigating this exploration, the study will probe the historical context of contempt rulings, considering their impact on legal principles and the broader socio-legal landscape. By scrutinizing the court's coercive powers and the philosophical arguments that underpin its authority, we aim to unravel the complexities inherent in the exercise of contempt powers. Moreover, this critical examination will extend to comparative analyses, drawing parallels with international practices, and evaluating dissenting opinions within the court. The procedural aspects of contempt proceedings, encompassing due process safeguards, the role of evidence, and implications for free speech, will be meticulously dissected to provide a thorough understanding of the subject matter. As we embark on this journey, the study seeks to contribute not only to the scholarly discourse on contempt of court but also to the ongoing dialogue surrounding the broader principles of justice, constitutional governance, and the delicate interplay between the judiciary and other branches of government. Furthermore, the introduction will shed light on the contemporary relevance of the Supreme Court's power in contempt cases, exploring how societal perceptions and evolving norms intersect with this legal authority. This study acknowledges the inherent tensions between maintaining judicial decorum and ensuring a fair and open legal system. The introductory section will highlight the significance of the research, emphasizing its potential impact on legal practitioners, policymakers, and scholars. By addressing the multifaceted aspects of contempt of court, this study aspires to provide valuable insights that extend beyond the confines of legal doctrine, influencing public discourse on the delicate balance between the judiciary's authority and the protection of individual rights. Moreover, the introduction delves into the motivations behind this critical study, elucidating the gaps in existing scholarship and the need for a nuanced understanding of the Supreme Court's role in contempt matters. By situating this research within the broader context of legal academia, it aims to contribute to ongoing discussions on the judiciary's responsibilities in maintaining order without compromising fundamental democratic values. This study recognizes the potential ramifications of contempt rulings on the delicate fabric of civil liberties and democratic governance. Through a comprehensive examination of the power dynamics at play, it seeks to offer practical insights that resonate with legal practitioners, scholars, and policymakers grappling with the complexities of contempt of court in contemporary society. As we embark on this analytical journey, the introduction establishes the groundwork for a thorough and thought-provoking exploration of the Supreme Court's authority in the realm of

contempt. Furthermore, the introduction sets the stage for a methodical investigation by outlining the research methodology. This involves delineating the sources of data, such as legal precedents, scholarly articles, and historical records, that will be scrutinized to derive meaningful insights. The rationale behind the chosen methodology and any potential limitations are also addressed, ensuring transparency in the approach taken to unravel the complexities surrounding the Supreme Court's power in contempt of court cases. Furthermore, the introduction sets the stage for a methodical investigation by outlining the research methodology. This involves delineating the sources of data, such as legal precedents, scholarly articles, and historical records, that will be scrutinized to derive meaningful insights. The rationale behind the chosen methodology and any potential limitations are also addressed, ensuring transparency in the approach taken to unravel the complexities surrounding the Supreme Court's power in contempt of court cases. By elucidating the structure of the study, including the organization of subsequent chapters and the logical progression of arguments, the introduction aims to provide readers with a clear roadmap. This not only enhances the coherence of the research but also facilitates a deeper engagement with the intricate issues under examination. Joshua T. Carback(2023)has explained in this article “Contempt Power and the United States Courts” The time and labor needed to understand and employ contempt power is too great. By my count, federal contempt law now consists of 178 opinions issued by the United States Supreme Court, 182 statutes in the United States Code, 95 regulations in the Code of Federal Regulations, 37 nationwide rules of federal practice and procedure, 10 circuit wide rules governing policy and procedure, and 151 local rules governing practice and procedure. Harvard (1908) has explained in this paper that “ contempt of court , criminal, and civil” The subject of conte of court and especially of the punishment for contempt and the process by which punishment is inflicted, has been much discussed of late years. In the course of this discussion it has not always been kept clearly in mind that acts of different kinds have been grouped under this single heading of contempt of court.

**(A) Objectives:**

- To know the power of the contempt of court
- To analyze whether public perceives the Supreme Court’s action in contempt cases
- To study whether the courts contempt powers infringe on freedom of speech

**(B) Literature Review:**

**Mohammad Saiful Islam**(2019)has explained in this article “An Appraisal of Efficiency and Effectiveness of the Supreme Court of Bangladesh”The Supreme Court is the apex institution

of the adjudication system and constitutional body in Bangladesh. The Constitution mandates its functions and jurisdictions. It performs functions and duties not as a servant of the government but performs constitutional functions as a guardian to uphold Constitutionalism, secure the Constitutional guarantee of the citizens'. **Joshua T. Carback**(2023)has explained in this article “The Family Court – Contempt and Inherent Powers” This article honors the achievements of Professor ATH Smith both in New Zealand and abroad. Its focus is on aspects of the New Zealand Family Court. The law of contempt is now governed by the Contempt of Court Act 2019. The earlier leading case on the contempt powers of the Family Court is analyzed, followed by the changes made by the 2019 Act and their implications for the Court. **Franklin & Prokopik P.C** (2023) has explained in this paper “Contempt Power and the United States Courts' 'Contempt power is one of the most important legacies of English common law in federal common law. Substantively, the contempt power of the United States Courts is relatively similar to that employed by the Court of King’s Bench in the eighteenth century. Procedurally, however, it is quite different. **Cecil Crowson**(2023) has explained in this paper “IN THE SUPREME COURT OF TENNESSEE” This appeal involves a civil contempt proceeding originating in the Court Appeals. The intermediate appellate court granted an interlocutory appeal to address a discovery dispute in a lawsuit between a physician and a public hospital regarding the physician's staff privileges. **Jasmin Ali Chowdhury**(2012) has explained in this paper “The seriousness and frequency in the recent attention of the Supreme Court of Bangladesh on its Contempt Jurisdiction has drawn a substantial public gaze. Here, the overall instability in the body politic over contentious constitutional and political issues has not left the judiciary untouched. **Opik Rozikin**(2019) has explained in this paper “CONTEMPT OF COURT IN INDONESIAN REGULATION” Contempt of court is often an interesting topic of discussion, one of which is in the national legal development program, this is inseparable from the rampant phenomenon of actions that are considered to injure the authority of the judicial institutions in Indonesia. **Siti Zulaichah**(2023) has explained in this paper “The importance of designing legislation on Indonesian contempt of court act: legal practitioners perspective” Contempt of court term in Indonesia has been initially originated in the general definition of Law 14th 1985 on Supreme Court item 4 paragraph 4. In that general definition, it implied an obligation to confirm the law soon specifically regulating the contempt of court in Indonesia. **Priyajit Debnath**(2022)has explained in this paper “CONTEMPT OF COURT PROCEEDING” Contempt of court is an act of disrespect or disobedience toward a court or interference with its orderly process. Contempt of court is a legal violation committed by an individual who disobeys a judge or otherwise disrupts the legal process in the courtroom. **Jason**

**Mazzone**(2011)has explained in this paper “When the Supreme Court is Not Supreme” The Supreme Court is not always supreme. For much of this nation's history, this statement was true as a matter of law. Today, it is true in practice. By supremacy, I mean what most people mean when they talk about the Supreme Court: the authority to determine, for everyone else, and in particular for every other court, what the Constitution of the United States means and requires.

**Haydn Rigby**(2023) has explained in this paper “Do Australian and Indian Courts Have ‘Get-Out-of-Text Free Cards’ Like the US Supreme Court in Order to Limit Environmental Executive Power?” The 2022 US Supreme Court case *West Virginia v Environmental Protection Authority (EPA)* has raised serious questions in relation to the extent to which a court can curb executive power. In that case, the US Supreme Court majority of six judges propounded a novel ‘major questions’ test which effectively prevents the executive arm of government from making subsidiary legislation in the form of rules and regulations that address ‘major questions’ that would only be appropriate for the legislative arm of government (i.e. in the US, Congress) to address.

**Anteneh Geremew Gemed**( 2019) has explained in this paper “Interpretative practice of Contempt of Court” Administration of justice by courts requires a smooth and undistracted courtroom management. Parties to a case and any other individual in a courtroom are expected to comply with basic court demeanor standards. The concept of contempt of court is employed to represent violation of those courtroom standards set by the law.

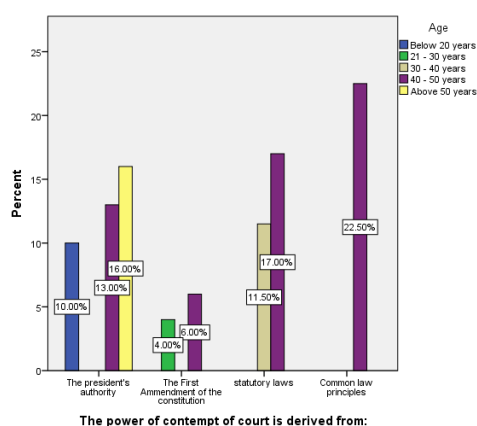
**Dirga Agung**(2022) has explained in this paper “Contempt of Court: Some Considerations for Weighting Criminal Sanctions” Increasingly expanding various actions that have been categorized as contempt of court, which threaten the authority of the court, it is necessary to regulate. The research method used is the normative legal method using statute, case, and conceptual approaches. This research is a legal study based on norms in force related to the contempt of court in existing regulations.

**Stephen K. Shaw**(2011) has explained in this paper “The Supreme Court” The Supreme Court - Franklin Roosevelt's ill-fated ‘Court-packing’ scheme of 1937, origins of plan remaining obscure and misstated; President, at the pinnacle of his power - unprecedented reelection in 1936, effort at judicial reorganization, inglorious defeat at the hands of the Democratic US Senate; the plan by Roosevelt, to pack the Court - few supporters, seen, then and now, as Roosevelt's greatest blunder while president; first term in office, President Roosevelt - no single opportunity, of nominating anyone for a seat on the US Supreme Court; .

**Jajati Keshari Samantasinghar**(2017) has explained in this paper “Contempt of Court as Defined in “Contempt of Courts Act 1971” Contempt of Courts means any act that interferes and obstructs in the process of administration of Justice or undermines or lowers the authority & dignity of the courts and bring them into disrespect and disrepute. It is

therefore necessary that courts are vested with the power to punish for committing the offense of contempt of court. O. Yu. **Vinnichenko**(2023)has explained in this paper “The Supreme Court of the RSFSR as a Court of First Instance” The establishment of the Supreme Court of the RSFSR is connected with the unification of the judicial system, the renewal of the legal system and the first codification of republican legislation, due to the proclamation of a new economic policy and strict implementation of the principle of legality in all spheres of public life. In this regard, the Supreme Court of the RSFSR was entrusted with the most important function of ensuring the implementation of the principle of legality in the law enforcement activities of the republican courts. S. **Starovoytova**(2021)has explained in this paper “ Set of facts of administrative officers for contempt of court “The article is focused on the analysis of set of facts of an administrative offense for contempt of court or the Constitutional Court of Ukraine under the Art. 185-3 of the Code of Ukraine on Administrative Offenses. The author has revealed the content of the main elements of the set of facts of an administrative offense for contempt of court or the Constitutional Court. Ali S. **Masood**(2023)has explained in this paper “Lower Court Influence on High Courts: Evidence from the Supreme Court of the United Kingdom” where the justices’ choices to adopt language from lower court opinions are influenced by Supreme Court-level attributes and Court of Appeal case characteristics. We uncover compelling evidence that UK Supreme Court justices incorporate language extensively from the written opinions of the Court of Appeal of England and Wales. Our findings have significant implications for opinion formulation, doctrinal development, and higher and lower court interactions within comparative courts. **Wash U** (1961) has explained in this paper “The History of the Contempt Power “Administration of justice by courts requires a smooth and undistracted courtroom management. Parties to a case and any other individual in a courtroom are expected to comply with basic court demeanor standards. The concept of contempt of court is employed to represent violation of those courtroom standards set by the law.

## II. ANALYSIS



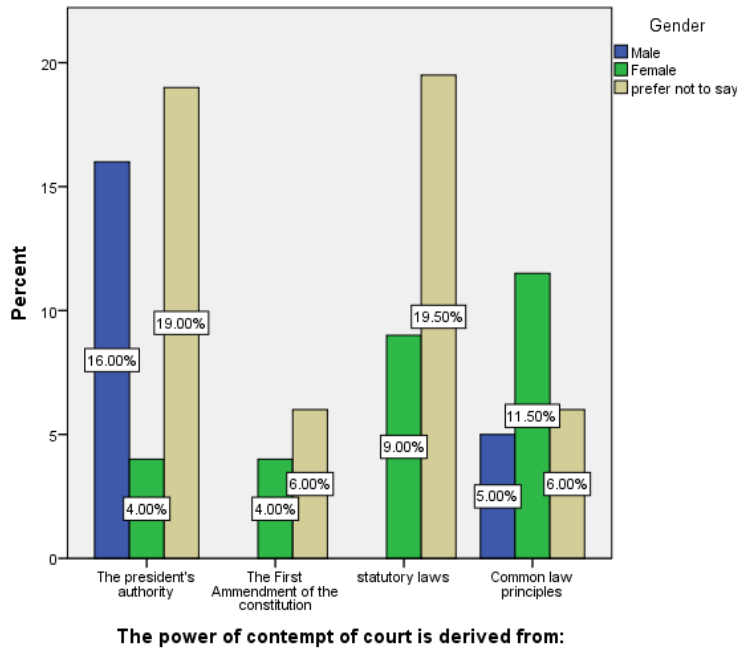
**FIGURE 1**

The power of contempt of court is derived from:

**LEGEND**

Figure 1, shows the opinion of the respondent that the power of contempt of court and age of the respondents.

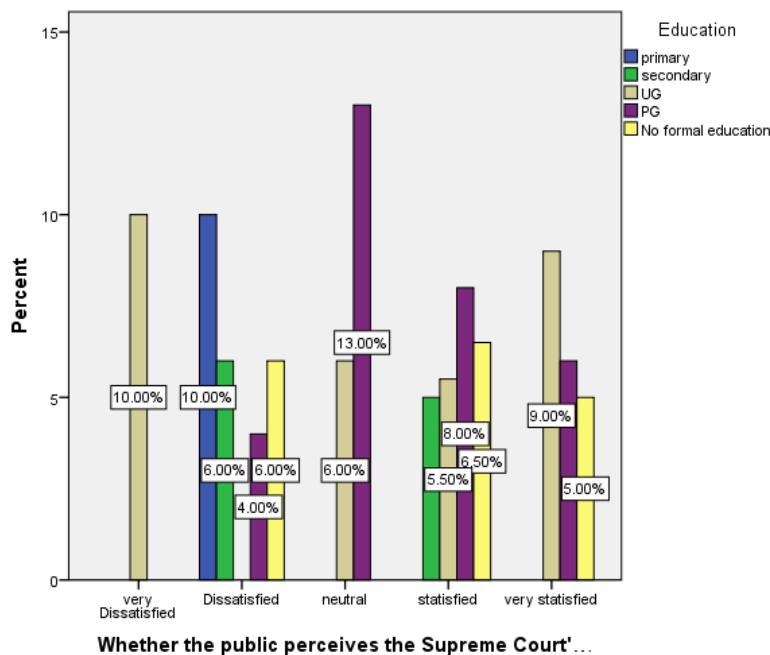
**FIGURE 2**



**LEGEND**

Figure 2, shows the opinion of the respondents that power of contempt of court and gender of the respondents.

**FIGURE 3**

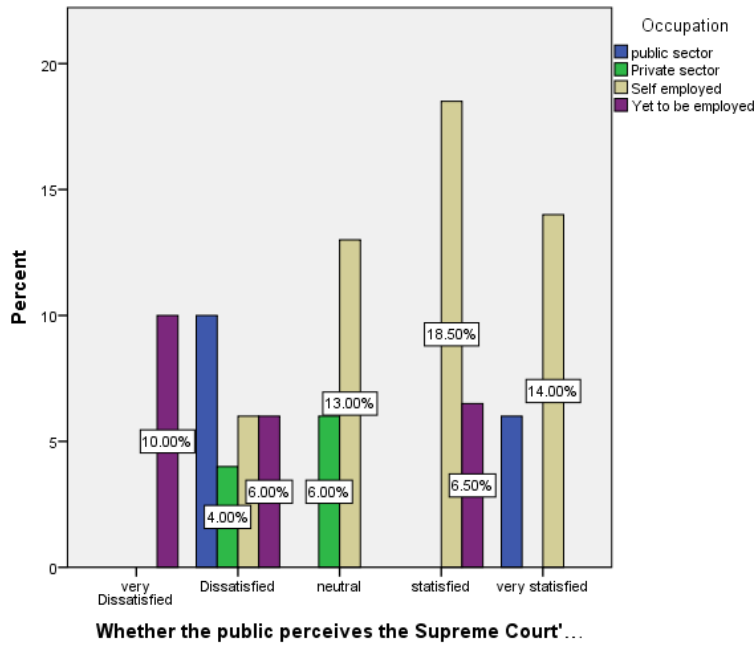




**LEGEND**

Figure 3, shows the opinion of the respondents that the public perceives the Supreme Court’s action in contempt cases and the educational qualifications of the people.

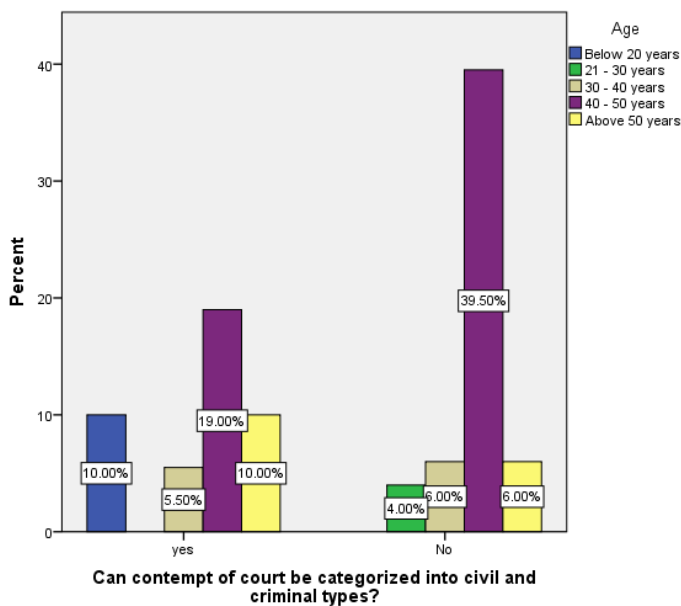
**FIGURE 4**



**LEGEND**

Figure 4, shows the opinion of the respondents that the public perceives the Supreme Court’s action in contempt cases and the occupation of the people.

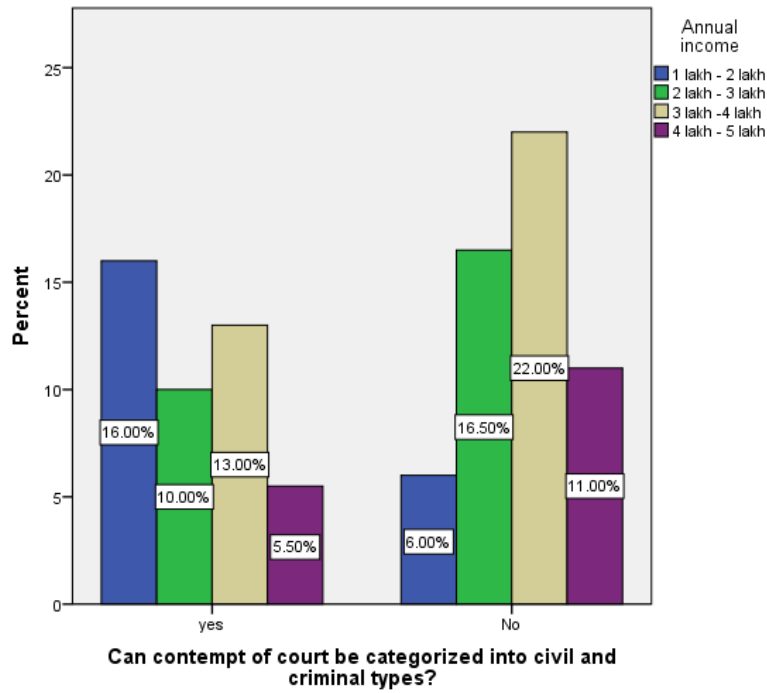
**FIGURE 5**



**LEGEND**

Figure 5 , Shows the opinion of the respondents whether the courts contempt powers infringe on freedom of speech and the age of the people.

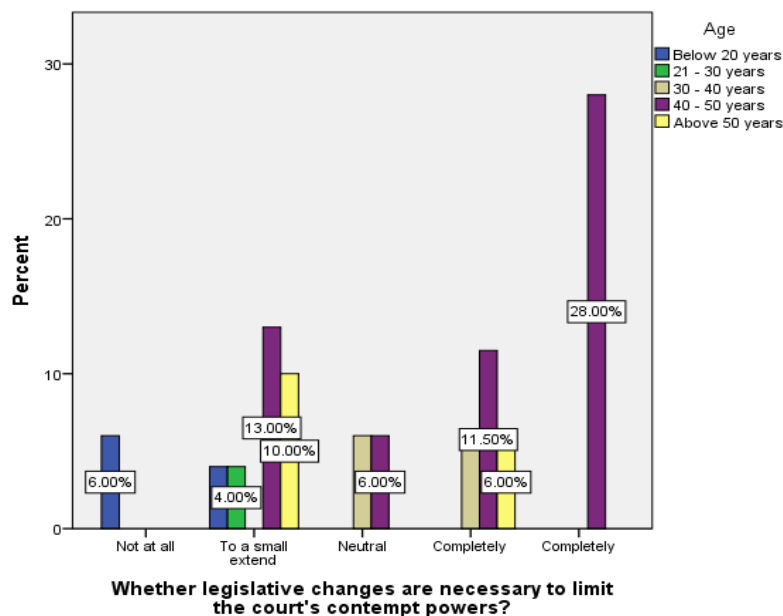
**FIGURE 6**



**LEGEND**

Figure 6 , Shows the opinion of the respondents whether the courts contempt powers infringe on freedom of speech and the annual income of the people.

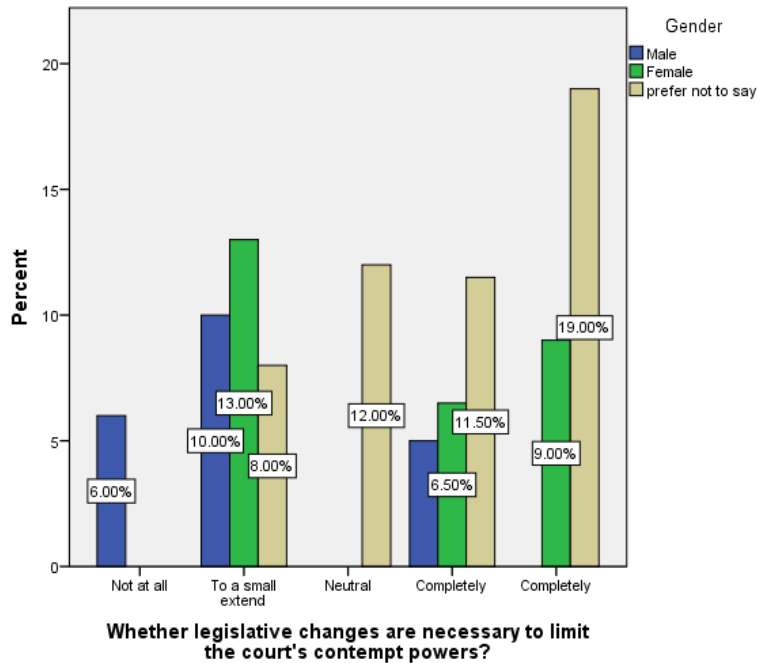
**FIGURE 7**



**LEGEND**

Figure 7, shows the variability of the respondents that the legislative changes are necessary to limit the court's contempt powers and the age group of the people.

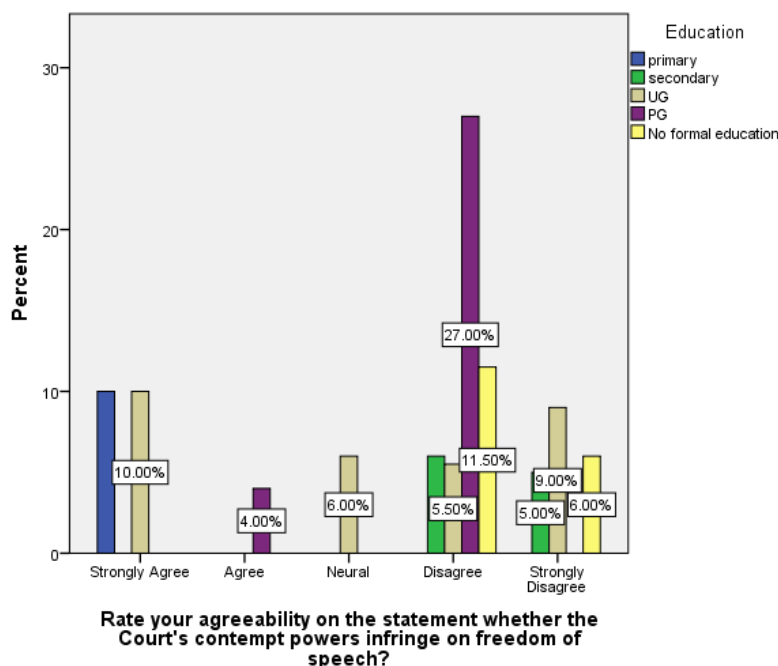
**FIGURE 8**



**LEGEND**

Figure 8, shows the variability of the respondents that the legislative changes are necessary to limit the court's contempt powers and the gender of the people.

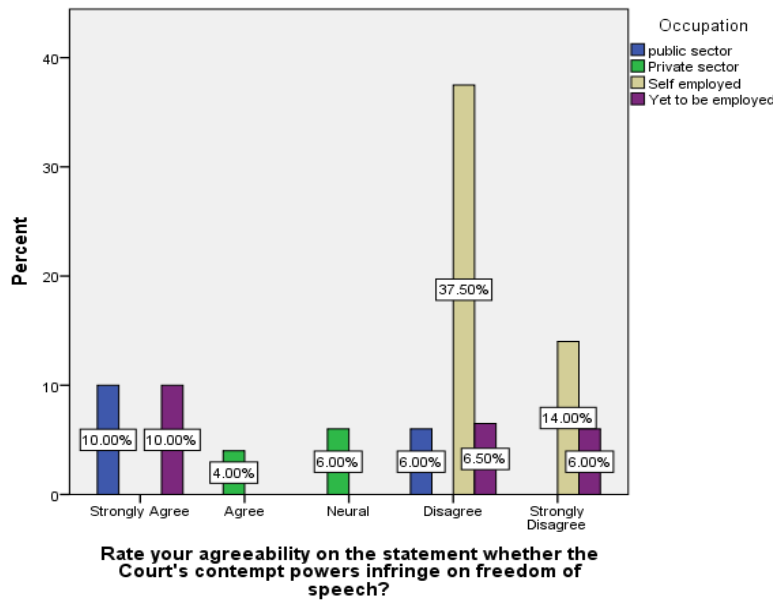
**FIGURE 9**



**LEGEND**

Figure 9, Shows the opinion of the respondents whether the courts contempt powers infringe on freedom of speech and educational qualifications of the respondents.

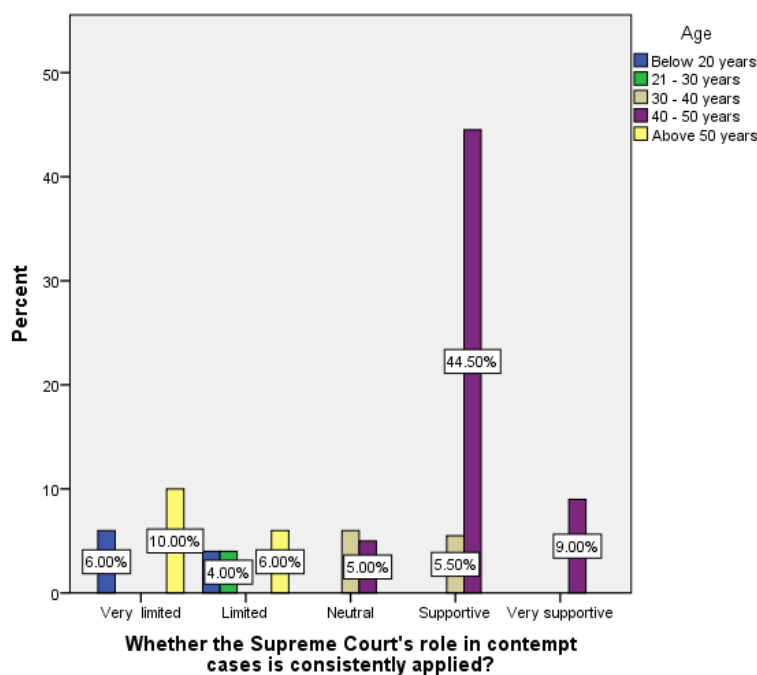
**FIGURE 10**



**LEGEND**

Figure 10, Shows the opinion of the respondents whether the courts contempt powers infringe on freedom of speech and educational qualifications of the respondents.

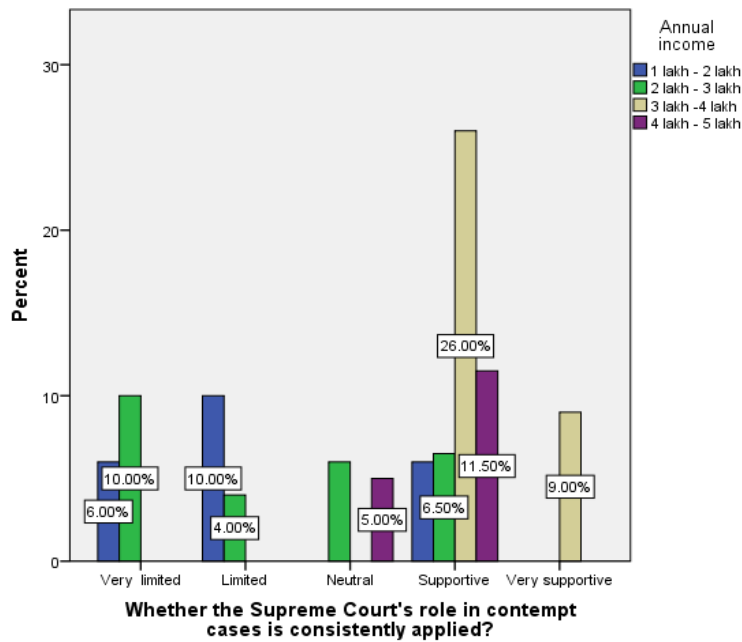
**FIGURE 11**



**LEGEND**

Figure 11, shows the opinion of the respondents supreme court’s role in contempt cases is consistently applied and the age group of the respondents.

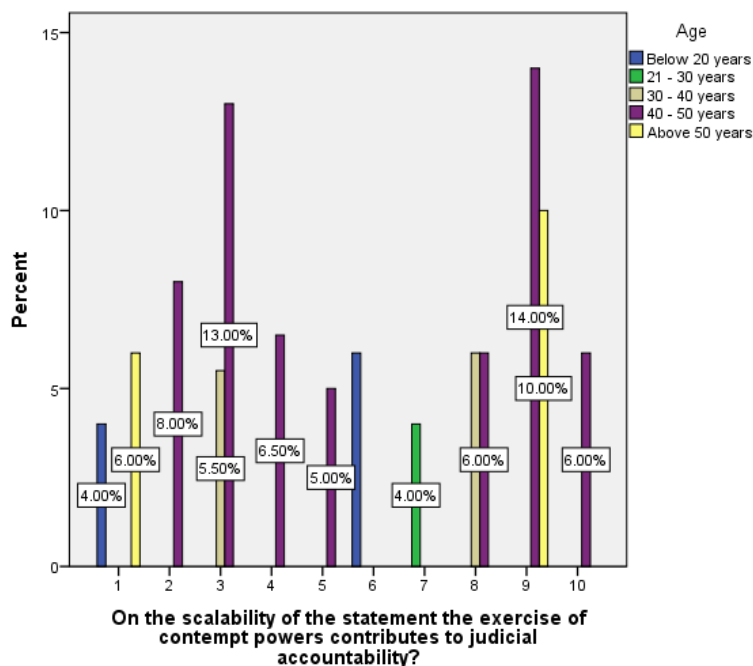
**FIGURE 12**



**LEGEND**

Figure 12, shows the opinion of the respondents supreme court’s role in contempt cases is consistently applied and the age group of the respondents.

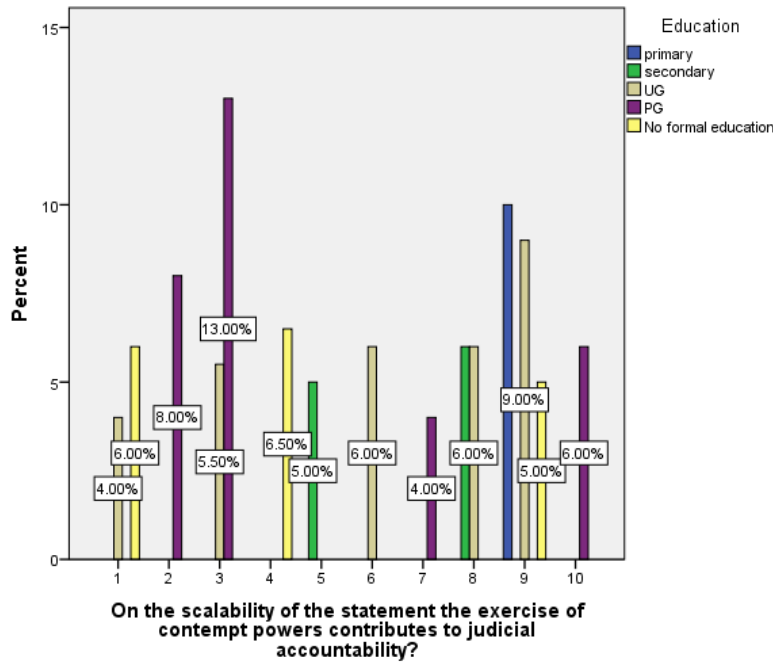
**FIGURE 13**



**LEGEND**

Figure 13, shows the opinion of the respondents that exercise of contempt powers contributes to judicial accountability and the age group of the respondents.

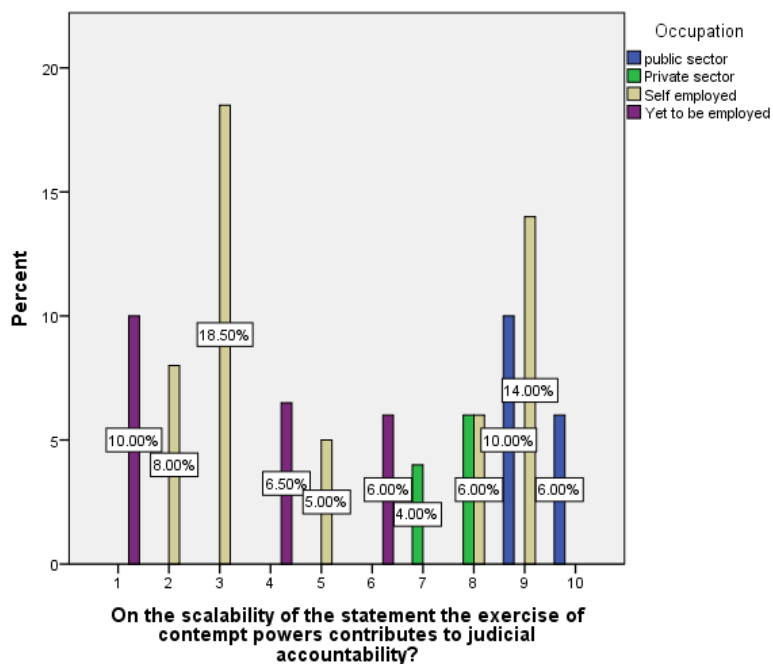
**FIGURE 14**



**LEGEND**

Figure 14,shows the opinion of the respondents exercise of contempt powers contributes to judicial accountability and the education of the respondents.

**FIGURE 15**



**LEGEND**

Figure 15, shows the opinion of the respondents exercise of contempt powers contributes to judicial accountability and the occupation of the respondents.

**TABLE 1**

**ANOVA**

Age

	Sum of Squares	df	Mean Square	F	Sig.
Between Groups	9.086	1	9.086	7.640	.006
Within Groups	235.469	198	1.189		
Total	244.555	199			

**HYPOTHESIS :** Null hypothesis is rejected and alternative hypothesis is accepted .

**LEGEND:** The above table shows ANOVA test.

**INFERENCE:** The is no significance relationship between groups within groups

**TABLE 2**

**Correlations**

		Gender	Whether the public perceives the Supreme Court's actions in contempt cases as just?
Gender	Pearson Correlation	1	.194**
	Sig. (2-tailed)		.006
	N	200	200
Whether the public perceives the Supreme Court's actions in contempt cases as just?	Pearson Correlation	.194**	1
	Sig. (2-tailed)	.006	
	N	200	200

\*\* . Correlation is significant at the 0.01 level (2-tailed).

**HYPOTHESIS :** Null hypothesis is rejected and alternative hypothesis is accepted.

**LEGEND :** The above table shows correlations test.

**INFERENCE :** There is no significant association between gender and contempt cases.

**TABLE 3**

**Gender \* Whether the public perceives the Supreme Court's actions in contempt cases as just? Crosstabulation**

Count		Whether the public perceives the Supreme Court's actions in contempt cases as just?					Total
		very Dissatisfied	Dissatisfied	neutral	satisfied	very satisfied	
Gender	Male	12	20	0	0	10	42
	Female	8	8	0	23	18	57
	prefer not to say	0	24	38	27	12	101
Total		20	52	38	50	40	200

#### Chi-Square Tests

	Value	df	Asymptotic Significance (2-sided)
Pearson Chi-Square	97.093 <sup>a</sup>	8	.000
Likelihood Ratio	125.636	8	.000
Linear-by-Linear Association	7.493	1	.006
N of Valid Cases	200		

a. 1 cells (6.7%) have expected count less than 5. The minimum expected count is 4.20.

**HYPOTHESIS :** Null hypothesis is rejected and alternative hypothesis is accepted.

**LEGEND :** The above table shows chi square test.

**INFERENCE :** There is no significant relationship between gender and contempt cases.

#### **METHODOLOGY:**

The type of research adopted here is empirical research. A total of 200 samples have been collected. The samples have been collected through a non-probability- convenient sampling method. The sample frame taken here is through online, in and around Chennai, Tamil Nadu. The independent variables are age, gender, marital status, and educational qualification. The dependent variables are contempt of court, judicial accountability etc.

### **III. RESULT**

**Figure 1**, shows that 22.50% of the respondents have chosen common law principles and 4% have chosen the amendment of the constitution as the power of court derived. **Figure 2**, shows that 19.50% of the respondents have chosen statutory law and 4% has chosen the amendment of the constitution. **Figure 3**, shows that 13% of the respondent have chosen neutral and 4% have chosen dissatisfied for public perceives the supreme court action in contempt cases. **Figure 4**, shows that 18.50% of the respondent have chosen staisfied and 4% have chosen dissatisfied



for public perceives the supreme court action in contempt cases. **Figure 5**, 39.50% of the respondent have chosen no and 5% have chosen yes for contempt powers infringe on freedom of speech. **Figure 6**, shows 22% of the respondents have chosen no and 5% have chosen no for contempt powers infringe on freedom of speech. **Figure 7**, shows 28% of the respondents have chosen completely and 4% have chosen to a small extent that legislative changes are necessary to limit the court's contempt power. **Figure 8**, shows 19% of the respondents have chosen completely and 6% have chosen not at all for legislative changes are necessary to limit the court's contempt power. **Figure 9**, shows 27% of the respondents have chosen disagree and 4% have chosen agree for court contempt power infringe the freedom of speech. **Figure 10** shows 37% of the respondents have chosen disagree and 4% have chosen agree for court contempt power infringe the freedom of speech. **Figure 11**, shows 44.50% of respondent have chosen supportive and 4% have chosen limited for supreme court role. **Figure 12**, shows 26% of the respondent have chosen supportive and 5% have chosen neutral for supreme court's role. **Figure 13**, shows 14% of the respondent have rated 9 and 4% have rated 1 that contempt of court contribute to judicial accountability. **Figure 14**, shows 13% of the respondent have rated 3 and 4% have rated 7 that contempt of court contribute to judicial accountability. **Figure 15**, shows 18% of the respondent have rated 3 and 4% have rated 9 that contempt of court contribute to judicial accountability.

#### IV. DISCUSSION

Sources of Court Power **Figures 1** ,Respondents attribute court power to both common law principles and statutory law, indicating an understanding of the legal foundations. **Figure 2**, Respondents attribute court power to both common law principles and statutory law, indicating an understanding of the legal foundations. A notable percentage associates court power with constitutional amendments, highlighting awareness of diverse legal sources. Public Perception of Supreme Court Actions in Contempt Cases. **Figures 3** , Satisfaction and dissatisfaction coexist in public perceptions of the Supreme Court's actions in contempt cases, reflecting a nuanced and varied assessment. **Figure 4**,Satisfaction and dissatisfaction coexist in public perceptions of the Supreme Court's actions in contempt cases, reflecting a nuanced and varied assessment. Further exploration is needed to understand the factors contributing to the differing opinions within the surveyed population. Contempt Powers and Freedom of Speech .**Figures 5**, A substantial portion of respondents believed that contempt powers do not infringe on freedom of speech. **Figure 6**,The contrasting opinions suggest a complex interplay between legal authority and individual rights, warranting deeper examination of underlying attitudes and beliefs. Legislative Changes to Limit Contempt Power. **Figures 7**, Divergent views on the

necessity of legislative changes to limit contempt power highlight the ongoing debate about the balance between judicial authority and legal constraints. **Figure 8**, Further investigation could shed light on the reasons behind the varying degrees of support for legislative intervention. Contempt Power and Freedom of Speech . **Figures 9** ,The disagreement among respondents regarding whether contempt powers infringe on freedom of speech underscores the complexity of public opinion on this crucial legal issue. **Figure 10**, Delving into the factors influencing these perspectives can offer valuable insights into public attitudes toward the intersection of legal powers and individual liberties. Supreme Court's Role **Figures 11**, A majority expresses support for the Supreme Court's role, while a substantial portion adopts a more reserved or neutral stance. **Figure 12**, Exploring the reasons behind these varied perceptions can contribute to a better understanding of public trust in judicial institutions. Contempt of Court and Judicial Accountability **Figures 13**,Ratings on the contribution of contempt of court to judicial accountability reveal diverse opinions, emphasizing the need for a nuanced examination of the perceived impact of legal mechanisms on accountability. **Figure 14**, Ratings on the contribution of contempt of court to judicial accountability reveal diverse opinions, emphasizing the need for a nuanced examination of the perceived impact of legal mechanisms on accountability. **Figure 15**, Ratings on the contribution of contempt of court to judicial accountability reveal diverse opinions, emphasizing the need for a nuanced examination of the perceived impact of legal mechanisms on accountability.

## V. SUGGESTION

**Public Perception and Awareness:** Investigate public awareness and perception of contempt of court. Conduct surveys or interviews to understand how the general public views the exercise of contempt powers by the Supreme Court and whether there are misconceptions. **Media Influence:** Analyze the role of media in shaping public opinion regarding contempt of court. Explore instances where media coverage has impacted the perception of court decisions or influenced the exercise of contempt powers. **Case Studies:** Provide in-depth case studies of notable contempt cases, analyzing the court's approach, public reactions, and the implications on freedom of speech and judicial accountability. **International Human Rights Perspective:** Examine the exercise of contempt powers in light of international human rights standards. Evaluate whether the court's actions align with principles of free speech and due process as recognized globally. **Impact on Democracy:** Investigate how the exercise of contempt powers by the Supreme Court might impact democratic principles. Explore the delicate balance between maintaining judicial authority and preserving democratic values.

## **VI. LIMITATIONS**

The Major limitation of the study is the sample frame. The sample frame Collected through bus stands, malls, etc. where the respondents aren't devoted enough to answer the questions. The restrictive area of sample size is yet another drawback of the research. The foremost downside. whilst presenting the research topic is that not many people are wise enough to answer.

## **VII. CONCLUSION**

In conclusion, the critical study on the power of the Supreme Court in the matter of contempt of court has provided valuable insights into public perceptions and attitudes towards this crucial aspect of judicial authority. The survey results indicate a nuanced understanding among respondents regarding the sources of court power, diverse views on the Supreme Court's actions in contempt cases, and a complex interplay of opinions on the impact of contempt powers on freedom of speech. The identification of common law principles, statutory law, and constitutional amendments as perceived sources of court power highlights the multifaceted legal foundations influencing public perception. Additionally, the varying degrees of satisfaction and dissatisfaction with the Supreme Court's actions in contempt cases underscore the intricate dynamics involved in evaluating the court's role in maintaining order and preserving justice. The study also illuminates the divergent opinions on whether contempt powers infringe on freedom of speech, indicating a complex relationship between legal authority and individual liberties. The discussion around the necessity of legislative changes to limit contempt power further emphasizes the ongoing debate on the appropriate balance between judicial autonomy and the need for legal constraints. Furthermore, the survey results reveal a varied spectrum of attitudes toward the Supreme Court's role, with a majority expressing support but a substantial portion adopting a more reserved stance.

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