

INAUGURATION OF
ALTERNATIVE DISPUTES RESOLUTION CENTRE
AT TIRUVANNAMALAI
&
VILLAGE LEGAL CARE AND SUPPORT CENTRE
AT VENGIKKAL

INAUGURAL ADDRESS BY
HON'BLE MR. JUSTICE SATISH K. AGNIHOTRI
ACTING CHIEF JUSTICE, MADRAS HIGH COURT

15.06.2014 – 8.45 A.M.

Kaalai vanakkam.

Mr. C. Raghavan, Chairman, District Legal Services Authority, Principal District Judge, Mr. Gnanasekaran, District Collector, Ms. Mutharasi, Superintendent of Police, Judicial Officers, Mrs. Agnihotri, Mr. B. Ramakrishnan, President, Bar Association, Mr. Rajavadivel, President, Advocates Association, Mr. K.V. Manavalan, Lawyers Association, Dr. K. Arul, Member Secretary, State Legal Services Authority, learned Advocates, Government Pleaders, Public Prosecutors, members of print and visual media, ladies and gentlemen,

It is my privilege and pleasure to inaugurate 1001st Village Legal Care and Support at the place Vengikkal and 13th ADR - Alternate Dispute Resolution Centre at Tiruvannamalai. I am overwhelmed by the presence of all of you and thankful.

First, let me tell you about ADR Centre. It is a beautiful building constructed by Public Works Department under the Central Government Scheme. The Central Government has given Rs.1 Crore for each ADR Centre to be opened at District level. This is the 13th ADR Centre. This ADR Centre has two big halls – one for Lok Adalat and other for Mediation, apart from Chairman's Room, Secretary's room, office etc. There is an unique feature in your ADR Centre. Firstly, the Collector has offered himself two Air Conditioners for both the halls which will be visited by the public at large so that you can have a cool comfortable atmosphere to express your grievances and to seek resolution of disputes/conflicts. The next important feature, which other ADR Centres do not have, a toilet has been provided for disabled persons. You all know very well. They are also members of the society. But because of certain disability, they have problems in going to so many places. I am happy, the Collector, PDJ, Executive Engineer have kept in mind the needs of those people also and provided a toilet for them.

What is ADR? You all know very well, Courts are flooded with cases and any person, who faces ailment in the society, not in a position to live in a dignified manner in the society, tries to go to some place, where he can get his conflicts resolved and live happily.

In earlier period of time, where this type of court system was not there, people used to go for mediation, conciliation, arbitration with the help of elders of the family/society. Now, irrespective of the problems, the people are slowly losing their faith in their own people and hence they go to the courts. Court has a system. File application. Advocates are engaged. Replies are filed. Witnesses are examined. It takes its own time. It is a process you will not get the desired results within the specified time. After losing in one court, one does not get satisfied and goes to the High Court, the Supreme Court and almost his entire lifetime, he spends in litigation. A bulk part of your income is spent on litigation. No peace. Only problems and problems. Then this was thought. Why not to have some system which is more effective, more expeditious, more speedy and more peace giving. You all know very well, even among our divine Gods and Goddesses, there used to be disputes about their superiority, power. There was one Saint by name Narad Muni. He used to resolve disputes. Similarly, this ADR Centre has been created for this type of resolution. You go to ADR Centre. There facility of Mediation is available.

Mediation is a process where both of you decide your own disputes only with the help of elders. There is no adjudication. It is called as win-win situation. Both of you win. Nobody loses.

Arbitration. I am not talking of arbitration where arbitrator is appointed, takes a long time, goes to the court and all. Arbitration can be done with the help of an advocate. Either appointed by you or appointed by the Chairman of the Legal Aid Committee.

Lok Adalat. In Lok Adalat you all can decide on the basis of give and take.

Conciliation. That is also a sort of Mediation. This is the advantage of ADR Centre.

If there is any dispute between an employer and employee – nowadays, there is dispute between husband and wife, you may go to the Centre. I have gone to so many districts. There is a demand to have Family Court. Why there should be a Family Court? Husband and wife, they can resolve their disputes by going to Mediation with the help of some elders, some respected people, may be advocates. You resolve your disputes. Live peacefully. Let their children live peacefully. So, instead of going to Family Courts, go to ADR Mediation Centre. Labour disputes, that can also be resolved in Mediation Centre. Any dispute can be resolved. Even in a dispute of criminal nature where there is no serious offence that can also be resolved in ADR Centre. Ultimately, what is there? That can be

resolved. Please go there. Thereafter, if it is not resolved, certainly you can go to Courts.

There is misapprehension in the mind of the advocates, if all people resolve their disputes, what will happen to their profession? It is misplaced. Even for going to ADR for resolution of any dispute, you as advocates, social reformers, for arranging disputes resolution, you can charge. For every thing you can charge, you can charge your professional fees for giving advice for resolving the dispute amicably and if disputes are resolved peacefully, more and more people will come for their future disputes. You will have more cases. And then, peace of mind that you can do something for the society. That respect you will get.

It is a place of Lord Siva. Divine blessings. Why they go to temples? If you go to the temple, you will have peace. That peace you can have in these latest temples of justice.

Now, another aspect. That is Village Legal Care and Support Centre which I have inaugurated today for the people of Vengikal village. That is, as told by Dr. Arul, 1001st Legal Care Centre. This Legal Care Centre is like Health Care Centre. For your problems, ailments in your body, you go to health care. For your problems in the society, go to this Centre. What is the problem? Not only

conflicts. Not only legal problems. Problems of your life. I tell you for example. Everyone needs a place to live, good food, dress, some times if you have difficulty, you go to courts. I was reading in the newspaper, some poor people could not afford education and they have sent their children to some Homes and some untoward incident had happened. The reason by the parents was that they wanted their children to have good education and therefore, they have sent their children to the Children Homes. But now they are helpless. They feel sad. That can be resolved. Advocates, para legal volunteers and every one each and every one of you, may be the Collector, may be other Officers should inform people that education is your right now, you can have free education upto the age of 14 years. Do not go to any home. Children Home or any Home. If you do not know how to send your children to school, you can approach the Village Legal Care and Support Centre. Persons sitting there will help you, will tell you where is the school, how to fill up the form, how to get the education.

There are several schemes. Now, I will request your Collector to prepare a list of all schemes of the State Government and the Central Government and paste it on the Notice Boards of all Village Legal Care and Support Centres, Taluka level Centre, District Level Centre. The applications received at these Centres will be forwarded

to the concerned departments. The concerned Departments must ensure that the problems are resolved within a period of one week. A list will be maintained at every level and the periodical report will go to the State Authority. Immediately a communication will come from the State Government also, particularly to the Collector, to inform all the Officers that whatever applications have been received, the same shall be resolved, sorted out immediately, take care. Reply back to the Centre. If there is any difficulty, please tell them, this is the difficulty, it may take some more time. This is a mission. This is a movement. Social Movement. You all have to participate. That is why I have decided to go to all the Districts, try to go to Villages so that I can at least do some service to the people. Coming to the Courts is not the solution. Now Courts, if not Courts, Judicial Officers, advocates, all such people are coming to you, helping you, please take advantage. Tiruvannamalai should not lag behind in any matter. You all will stand first. Whenever it is compared, that what about the social living of the district Tiruvannamalai, please come forward.

With this, I compliment all of you.

Nandri Vanakkam.
