

TAMIL NADU STATE LEGAL SERVICES AUTHORITY
INAUGURAL FUNCTION OF
TRAINING PROGRAMME FOR THE EMPANELLED LAWYERS

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

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My esteemed brother Judges, Mr. Justice N. Paul Vasanthakumar, Mr. Justice M. Sathyanarayanan, Mr. Justice T.S. Sivagnanam and Mr. Justice P. Devadas, the Registrar General, Member Secretary, Tamil Nadu State Legal Services Authority, friends,

As my brother Mr.Justice Paul Vasanthakumar has said, before this Legal Aid, he used to do some legal aid work, I must tell you one more thing. I started my practice in the Supreme Court in the year 1987. The Supreme Court has a Committee for Implementing the Legal Aid Scheme called 'CILAS'. There was one room given by the Supreme Court. In lawyers' chamber, I, along with my two or three friends, used to sit every day, one hour, for legal aid work; every day; without payment. Payment was there but only for those

advocates who were drafting the petitions and appearing in the Court; not for those advocates, who were scrutinising applications and writing letters. I did it for two three years continuously. Why I am narrating this? You all do not need any training. You are all advocates. You know how to draft petitions; you know what should be the prayer; you know what should be the priority and which case should be given priority. Only one thing. Nowadays, there is a feeling among the litigant public that if you do not pay fee to the advocate, he does not do justice. That feeling you have to remove. Let them have a feeling that whether payment or not, advocates are doing free service not for compensation or honorarium; a petty amount as honorarium. This feeling you have to develop among the litigant public, for that needy people. If they can afford, they will never come to legal aid. That they are coming to legal aid means, they are not capable of making payment. That is what is important. This you have to keep in mind. Training you do not need. For seniors, it may be a service; and for juniors, it may be an opportunity to gain experience. If with this spirit we all work, we all work, legal aid will be successful.

Articles 14, 21 and 39A of the Constitution you all know. You do not need any training for that. Only training you need is how to develop a culture wherein the litigant public can develop confidence in you.

It is rightly said by my brother Judges that you must give priority to legal aid. That is the reason why if you do not attend the Court, the Judge or the Presiding Officer and the client sitting in the Court should not feel that because it is a legal aid case and therefore, the learned advocate has not come; he must have gone to attend some other matter. Please develop that attitude. I can tell you my experience. There are advocates, who are given amicus matters. There is a matter called 'Forest Matter'. That started in 1996. I was also one of the counsel in that matter. Amicus curiae appointed in that matter till date leaves all big matters and attend that matter. Irrespective of the stake involved; irrespective of the fee paid to him. But he always ensures. Amicus curiae? No, I will not take up the matter. I do not mind telling you even the name of the advocate, Mr. Harish Salve, Mr. Lalit and other advocates.

Right from 1996 till date, one Friday is fixed after 2.00 p.m. for Forest Matters. They attend invariably. No fee. If it is offered, they say no. That should be the attitude. That should be the habit you have to inculcate. Once you develop this habit, then the presence of five Judges, four five trainers, all of your presence may not be required. According to me, this is the basic thing you must know about legal aid and you all do not need any training.

With this, I wish and hope that on the next session or with the passage of time, we will find in the Court no adjournment or pass over for legal aid counsel or for amicus counsel. That day will be the happy moment and it will be a successful movement.

Thank you.
