

**ONE DAY SPECIAL TRAINING PROGRAMME FOR DISTRICT
JUDGES AT TAMIL NADU STATE JUDICIAL ACADEMY**

**SPECIAL ADDRESS BY
HON'BLE MR. JUSTICE SATISH K. AGNIHOTRI
ACTING CHIEF JUSTICE**

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My Lord Hon'ble Mr.Justice H.L. Gokhale, Judge, Supreme Court of India, Mrs.Justice Chitra Venkataraman, President, Board of Governors of the Tamil Nadu State Judicial Academy, my esteemed sister and brother Judges, dear trainee Judges, Officers and staff of the High Court, Director and Officers and Staff of the Academy, ladies and gentlemen,

I, on behalf of the Tamil Nadu State Judicial Academy as well as on my own behalf, extend a warm welcome to Hon'ble Mr.Justice Gokhale, who has kindly consented to deliver his address on "Challenges to Judiciary Today". His Lordship, has worked as Judge of the Bombay High Court, adorned the office of Chief Justice of two major High Courts Allahabad and Chennai, before elevation to the Supreme Court and as such, has rich experience in judicial administration. Thus, His Lordship is the

right person to deliver this lecture. I am informed that Mr.P.S.Raman, the then Advocate General of Tamil Nadu, in his farewell address, rightly stated that the finesse and diplomacy of Hon'ble Mr.Justice Gokhale is required to restore normalcy and get things back in working condition for which the judicial administration and the entire state administration would remain forever indebted to His Lordship. This is reported in 2010 (2) Law Weekly 41 JS.5. His Lordship's statesmanship was properly recognized.

Dear Judicial Officers, I am aware of the fact that all of you, except the new recruits, have a rich experience behind you at the Bar as well as in the Bench. The new recruits also had enough stint in the Bar. You might be wondering why training for you. But learning is a continuous process. In this age of increased public awareness and increased expectation by the people from the judiciary, we have to keep ourselves abreast of the latest happenings around us. Thus, the need for judicial education. A judge may work more efficiently if he is aware of the currents and passions of the time, the developments of technology and the

sweep of events. Further this is a platform for you to exchange your experiences with other Judicial Officers so that you can also learn from other's failures and successes and follow the best practices. I take this opportunity to impress upon you to fully utilize this opportunity and gain the experience to be shared by Hon'ble Mr.Justice Gokhale. When you go back to your places of postings with the knowledge that you may gain here, I am sure, you would exchange it with other officers working with you and also put these practices into effect.

It is stated in Hindu mythology that a swan-bird is capable to separate the milk from the water and it would drink the milk alone thus symbolizing the prudence and discrimination between good and bad. I request you all to imbibe that quality in you.

The challenge before the judiciary is docket explosion which leads to inefficiency, delay and erosion of public confidence and credibility. Thus, you have to strive for restoration of credibility in the judicial institutions. It is advisable to put a question every day as to whether the justice administered by you is quick, cheap

and fair; if not, what are the reasons? You have to emphasize on understanding of law, grasping of facts, precision in judgment writing and quick disposal, however, not at the cost of quality of justice. The making of a person at his early age is most important. If a case is not properly handled or prepared at the early stage, i.e. in the trial court, then at subsequent stages, it is difficult to correct the error in every case. The Supreme Court in HIMMAT SUKHADEO WAHURWAGH & OTHERS v. STATE OF MAHARASHTRA (2009) 6 SCC 712), while dealing with criminal justice system, observed as under:

"In this pernicious state of affairs, the Judge, gravely handicapped, has to apply his knowledge of the law and his assessment of normal human behavior to the facts of the case, his sixth sense based on his vast experience as to what must have happened, and then trust to God and good luck that he strikes home to come to a right conclusion. To our mind, the last two are undoubtedly imponderables but they do come into play in negotiating the judicial minefield. This is an undeniable fact whether we admit or not"

The above case states the sorry state of affairs, when unwarranted estimations are applied for deciding a case.

Dear District Judges, you are the pillars of our judicial system. The Supreme Court in ALL INDIA JUDGES' ASSOCIATION

v. UNION OF INDIA (AIR 1992 SC 165 at Pages 173 and 174) has stated that it is the obligation of the District Judge to operate as the captain of the team, both under his direct supervision at the headquarters and in respect of the Officers located in different areas within his district. It is his obligation to inspect the outlying courts, maintain the proper judicial tempo and temper of functioning in his district and be responsible for the efficient running of the system.

You occupy an important place in the society and public treat the Judges with reverence. The extraordinary power invested in the judges demands a high standard of behavior. Therefore, the litigant has a right to demand impeccable character from the Judges. As a judge, you should have professional competence. You should be patient and dignified towards advocates, litigants and other persons whom you come into contact. But at the same time, you have to be firm in dealing with unruly or disrespectful situations. You must always strive for the highest standards of integrity in both professional and personal lives. You must always keep in mind that the justice that

you administer must be according to law and not according to your individual sense of justice.

The Right to Information Act is a revolutionary legislation. Increased public awareness has led to its heavy use and the administration finds it difficult to cater to the work load arising out of this Act. The Interaction on Practice and Procedure in Right to Information Act moderated by the Chief Information Commissioner will certainly help you on getting clarifications on various aspects of this enactment. The lecture on Shaping Law by the Law Secretary, who is from your fraternity, will help you acquainted with the recent developments on law.

Friends, like you, I am also awaiting eagerly to hear Hon'ble Mr.Justice H.L. Gokhale.

I thank the President and Members of the Board of Governors of the Academy for giving me this opportunity.

Jai Hind.