

**FAREWELL TO
HON'BLE MR.JUSTICE R.K.AGRAWAL, CHIEF JUSTICE**

REPLY ADDRESS BY HON'BLE CHIEF JUSTICE

12.02.2014

My Dear esteemed Sister and Brother Judges, M/s. Justices K.N. Basha, T.Sudanthiram and K. Venkataraman, learned Additional Solicitors General of India, learned Advocate General, learned Additional Advocates General, learned Senior Advocates, Registrar General, Registrars and other Judicial Officers, Advocates, Officers and Staff of the High Court, ladies and gentlemen,

One seldom finds fault in his near and dear ones. This also applies to Thiru A.L. Somayaji, learned Advocate General, who has spoken so highly about me. I know I do not deserve such praise. I am sure, all of you here will agree with me. I express my sincere thanks and gratitude to Thiru Somayaji for his kind words.

Almost exactly a year ago, on 7th February 2013, when I entered the magnificent precincts of this chartered High Court,

all of you welcomed me with open hearts. To put it mildly, I was overwhelmed with your gesture and support. You might remember that at that time, I had recalled an incident connected with the settling down of Parsis in our country, and requested you to treat me like a humble Parsi. I have been touched by your acceptance and conduct towards me.

I had started treating myself as a part of this court and took this court as my Court. Suddenly, one fine morning, I learnt that a section of the Bar treats me as an outsider. I was deeply pained. I introspected about the possible reasons, but am yet to come up with any. May be because it is all the more difficult to find fault with your own self. I request all of you to kindly let me know the reason, so that I may improve myself.

Friends, no person is perfect. I am no exception. I may have hurt the feelings of some of you. If that be so, I can only say that I did it unknowingly and not deliberately. My sincere apologies if I have hurt anybody even remotely. I did my best as possible as I could, and you are the best judge to decide whether I had lived upto your expectation or not.

This glorious chartered High Court has been in existence for more than 150 years. It does not reflect a mere building of lime, bricks and mortar. Its reputation and prestige is the fruit of the dedication, sincerity and perseverance of those great lawyers and judges who have practised here and advanced the cause of justice.

Friends, we will come and we will go, but the institution shall remain. We should not do anything to damage its name. As you are aware, it takes years to build a reputation and only a moment to destroy it. We have to be very careful in our conduct. The danger is from within, and not from outside. We have to be very careful in our acts.

I am sorry to say, but recent incidents have made a deep dent in the image of this chartered High Court. It is ironical, that even those, who claim to profess the ideology and principles of Mahatma Gandhi, perhaps forgot that even during his entire struggle to get freedom, Gandhiji had ensured that in the process, the image of the institution is not damaged.

Friends, I seek your leave to mention about an unfortunate incident which happened recently with me. In my entire career of more than 37 years both in the Bar and at the Bench, nobody, be it my friends or foes, had never raised their voice while talking to me or while addressing me during court proceedings. But here on one fateful day, a respected colleague of mine had hurled invectives at me and cast aspersions at the affairs of this Court. I need not tell you that the events of this Court are keenly followed throughout the country – I worry not about personal comments made at me; but I do get pained when I hear that innuendos are being targeted at the Madras High Court and it is becoming the subject of public ridicule. Believe me, many of my colleagues here have privately expressed their desire to seek voluntary transfer to other High Courts. My colleagues from other High Courts are hesitant to come to this Court. Disagreements can, and should, be sorted out internally; not by making a public spectacle of grievances which only attract criticism and derision.

Friends, my earnest appeal to all of you is not to cut the tree on the branch of which you are sitting. You have to

remember that the respect, status and reputation you get in society is all because of this great institution. If this Court faces loss of public confidence, then take it from me, you will be the worst affected in society.

May I also say something for the learned women members of the Bar. The office bearers of the Women Lawyers Association would recall that last year on Rakshbandhan Day, in a function held in the hall in the Fifth Floor of the Additional Lawyers Building, you had tied the sacred thread (Rakhi) on my right wrist, thereby becoming my rakhi sisters. I understood this gesture to mean that I shall always protect you on behalf of this institution from any danger. However, the same gesture also carries with it a responsibility on your part – that you shall take all such steps to protect the image and reputation of this institution. I was deeply pained to see some of my rakhi sisters being in the forefront of the unfortunate events. I request all of you to think twice before taking such a step.

I firmly believe in the principle - "be optimistic and think positive". All is not lost. Let us think of a better tomorrow,

and work towards it. It is time that we stand together and take a solemn pledge - to strive hard to regain the lost glory of this great institution, and to forebear from doing anything which may even remotely harm the institution.

Whatever I have said is not in respect of the entire Bar. The Bar of this Court is second to none in the entire country, but only a few members of the legal fraternity require guidance in the right direction.

Friends, all of you must be wondering as to why on this happy occasion I am saying all this. I could have left this Court quietly thanking all of you, but I shall be failing in my duty if I did not share my feelings with all of you as for me, the interest of the institution had always been paramount consideration. For my part, I assure all of you that even in the Hon'ble Supreme Court, my earnest endeavour shall always be to ensure that this Court regains all the lost glory and marches ahead achieving even greater heights.

Before parting, I must thank those who helped me. Thanks are due to the Judges, who shared the Bench with me,

both at Chennai and Madurai - Mr.Justice K.Venkataraman, now Chairman, Puducherry State Consumer Forum, Justices Chitra Venkataraman, N. Paul Vasanthakumar, M.Jaichandren, M. Sathyanarayanan, M.M. Sundresh, T. Raja and K.Ravichandra Babu. I consider myself lucky and very fortunate to have sat in the Division Bench along with them.

I also thank all the sister and brother Judges, for their full support and cooperation. I can only say that I did not get the opportunity and time to sit with more of you in a Division Bench.

I thank all the senior advocates, members of the Bar and the Law Officers of the Central and State Governments.

I thank the Registrar General and other Registrars both at the Principal Seat of this Court at Madras and the Madurai Bench.

I thank the Director and other staff of the Tamil Nadu State Judicial Academy and the Member Secretary and staff, Tamil Nadu State and Puducherry UT Legal Services Authorities.

I thank the Press.

I thank the Private Secretary and the Additional Private Secretary and the Personal Assistants.

My thanks are also due to the Bench Clerks and other court staff.

I also thank all the Officers and Staff of the Madras High Court and Advocate Clerks.

I thank Mr.K.N. Murali, the Additional Deputy Commissioner of Police, High Court and all the police personnel, who have tirelessly worked for the prevention of any untoward incident in this Court.

I thank the Personal Security Officers attached to me and I also thank the personal staff, both in my chamber and the residence.

I thank the security staff deputed to me.

I also thank my family members, who have been behind all my endeavours.

Last but not the least. I express my sincere thanks and gratitude to the litigant public for the confidence they had reposed in the judiciary and me.

JAI HIND.