



PRACTICES AND PROCEDURES

**HIGH COURT, MADRAS
ON THE AGENDA OF THE CHIEF JUSTICES AND
CHIEF MINISTERS CONFERENCE-2016**



STEPS TAKEN FOR REDUCTION OF ARREARS AND ENSURING SPEEDY TRIAL (AGENDA -2)

- ❖ Based on the Resolutions passed in the Chief Justices Conference, a committee consisting of three Hon'ble Sitting Judges have been constituted by the Hon'ble Chief Justice of Madras High Court on 05-06-2015.
- ❖ The Committee devised an Action Plan to reduce the pendency of more than 5 years old cases in the High Court. In the place of Weekly list, that is the cases listed in the weekly list would be taken up for hearing in the Court on exhausting the daily list, the list of 5 years old cases is replaced.
- ❖ The Committee reviewed the progress made in the disposal of the 5 years old cases and then recommended for listing only 5 years old cases before all the benches on every Wednesday. It shows considerable progress in reduction of arrears.
- ❖ The unique practice followed in the High Court that the Hon'ble Chief Justice insisting all the Hon'ble Benches in the High Court to post the cases with specific date to ensure the speedy disposal. It is also followed in the Hon'ble Chief Justice's Court regularly.

REFORMS IN COURT PROCEDURES AND PROCESSES (AGENDA -3)

- The High Court, Madras directed all the MACTs in the State to transfer the awarded amount directly in the account of the victim by way of RTGS. For this the Court may direct the victim to produce the Government issued identification card, bank account details and the request to transfer the award amount in the bank account directly. (As per Judicial Order)
- To determine the quantum of award the disability of the victim is directed to be arrived with the help Medical Board of the concerned District. In this way, the percentage of disability is determined without bias and favour.

JUDICIAL REFORMS (AGENDA -4)



- Oldest cases in the respective categories are listed chronologically every Wednesday apart from the listing fresh admission cases and extension of stay cases.
- Cases relating to Senior Citizens, Crime against Women, Person with Disability, Children, Juvenile and Prevention of Corruption Act cases are taken up on priority basis.
- Cases in which proceedings before the Lower Courts have been stayed and Cases Remanded from the Hon'ble Supreme Court are given preference.

STRENGTHENING OF LEGAL SERVICES (AGENDA -5)



- In order to strengthen the legal services institutions across the State of Tamil Nadu, all directions made by the National Legal Services authority, are scrupulously implemented informing the NLSA.
- In the venture of effective implementation of various programme all legal services activities viz., Lok Adalat, Mediations, Legal Awareness Programme etc., were extended to the needy for timely redressal of their grievances.
- The Legal Services Authority has taken all effective steps for conducting legal aid clinics for enabling the litigant public to get the benefits out of it. The para legal volunteers were also contributing their efforts for speedy resolutions of the disputes of the common people.

DEVELOPMENT OF INFRASTRUCTURE OF SUBORDINATE COURTS (AGENDA-6)



- Based on the resolutions passed in the Chief Justices' Conference, 2016, the Monitoring Committee to review the construction of Court Buildings and residential quarters for the Subordinate Judiciary was reconstituted with three Hon'ble sitting Judges, Chief Secretary and Finance Secretary of the State as members in the Committee.
- The Monitoring Committee suggested to the State Public Works Department to ensure timely completion and quality of the project and to avoid cost over run.
- Under Centrally Sponsored Scheme for the year 2016-2017, the Central Government have released Rs.50 Crores for Tamil Nadu Judiciary. The High Court drawn up the projects for the value of Rs.83.88 Crores (including the State share of 40%) and sent to the Government of Tamil Nadu for necessary sanction.

(I) STRENGTHENING JUVENILE JUSTICE SYSTEM

(II) CONSTITUTION AND WORKING OF AUTHORITIES AND ESTABLISHMENT AND CONDITION OF VARIOUS HOMES REFERRED TO IN THE JUVENILE JUSTICE (CARE AND PROTECTION OF CHILDREN) ACT, 2000 (AGENDA-7)


- ◉ *Direction issued to the Juvenile Justice Boards to dispose of the cases, pending for a period in excess of one year, on priority basis and submit a report to the Juvenile Justice Committee, High Court, Madras.*
- ◉ *Direction issued to the Principal District Judges to send reports, before 31.07.2016, on the pendency of the cases, relating to adoption, upto 15.07.2016. Further resolved to direct all the Principal District Judges, to dispose of the cases, on priority basis.*
- ◉ *The Inspector General of Police, Juvenile Justice Unit(Special Police) has been addressed to create necessary Special Juvenile Police Units in every districts.*
- ◉ *Direction issued the Child Welfare Committees to furnish the details of the pendency of the cases of orphaned, abandoned and surrendered children, with their names, age, education, etc., (profile) as on 15.07.2016.*
- ◉ *Direction issued to the Director of Social Defence and Ministry of Social Welfare and Nutritious Meal Programme, to fill up the vacancies in Juvenile Justice Institutions, on a mission mode basis in three months.*
- ◉ *Forward the resolutions of the Hon'ble Chief Justices' Conference to the State Legal Services Authority, and request assistance for effective implementation of the Juvenile Justice Act, 2015 and resolutions.*

UTILIZATION OF GRANT SANCTIONED BY 14TH FINANCE COMMISSION UNDER DIFFERENT HEADS - A STRATEGY (AGENDA -8)

- A Committee of Two Hon'ble sitting Judges was constituted based on the letter received by then Minister for Law, Government of India addressed to the Hon'ble Chief Justice communicating the apportionment of funds under 14th Finance Commission to the State of Tamil Nadu.
- The Committee accordingly studied the proposals sent by the Department of Law and Justice under 14th Finance Commission and recommended a comprehensive proposal to the Government of Tamil Nadu for Rs. 472.38 Crores covering all the components under the 14th Finance Commission on 25-02-2015.
- The sanction from the State Government is still awaited.



REVIEW OF THE QUALITY LEGAL EDUCATION PROGRAMME(S) IN THE STATE : TRENDS AND CHALLENGES (AGENDA -9)



- The Hon'ble Committee Specifically constituted to oversee the implementation of resolutions passed in the Chief Justices' conference, 2016 held two meetings in the month of June and July, 2016 with the Director of Legal Studies, State of Tamil Nadu and Vice-Chancellor, Dr. Ambedkar Law University, Chennai.
- The out come of the meeting regarding strengthen and support the existing law schools to enhance the quality of legal education, was drawn as a proposal and forwarded to the Government of Tamil Nadu as recommendation for improving the quality of legal education in the State of Tamil Nadu.

ESTABLISHMENT OF COMMERCIAL COURTS, COMMERCIAL DIVISION AND COMMERCIAL APPELLATE DIVISION OF HIGH COURTS (AGENDA -10)

- ◉ The High Court has considered the proposal received from the Department of Law and Justice, Government of India for constitution of Commercial Courts, Commercial Division and Commercial Appellate Division of High Court.
- ◉ It was decided and communicated to the Department that the High Court of Judicature at Madras being one of the Chartered High Courts in India, exercising Original Jurisdiction and thus Company Petitions are filed in the Original Side of the High Court under Companies Act and therefore, it would not be difficult to constitute the Commercial Division or Commercial Appellate Division in the High Court.
- ◉ With regard to Commercial Courts it was decided on perusal of the statistics of pending commercial cases in each Districts in the State of Tamil Nadu, that the Principal District Judges are to be empowered to act as Commercial Courts under the Commercial Courts Act, 2015. Accordingly the Principal District Judges of the each District were appointed as Judge of the Commercial Courts, except in City of Chennai, specifying the entire territorial limits of the Judicial District as the local limits of the area to which the jurisdiction of the respective commercial court.

THANK YOU

