

FAREWELL SPEECH DELIVERED BY HON'BLE THE CHIEF JUSTICE

My esteemed brother and sister Judges,

Shri A. S. Chandhiok, President of the Delhi High Court Bar Association,

Shri Rajeeve Mehra, learned Additional Solicitor General,

Shri J. P. Sengh, Vice President, Delhi High Court Bar Association,

Shri Mohit Mathur, Secretary, Delhi High Court Bar Association,

Shri R. S. Goswami, Chairman, Bar Council of Delhi,

Other executive members of the Delhi High Court Bar Association,

Smt. Zubeda Begum, learned Standing Counsel for the Government of NCT of Delhi

Office-bearers of other District Bar Associations,

Senior Advocates,

My family members,

other learned Members of the Bar,

Officers and staff of this court,

ladies and gentlemen.

I am most grateful and feel honoured for the kind and generous words spoken about me by the speakers. I have

discharged my last day judicial function today which continued over a period of 13 years, 3 months and 20 days and it is the time to take the blessings from all of you present here for myself and my family members.

At this moment, I am deeply reminiscent of my life as a student, lawyer and also as a Judge. I was born in an agricultural family in a small village in Theni District, in the southernmost part of Tamil Nadu. My parents were farmers, who did not even cross First Standard of their schooling. I studied in the Village Panchayat School till my Fifth Standard and thereafter, I was put in a residential school. I became the first graduate in my family, also a first generation law graduate and later a first generation lawyer from 1975. Initially, I worked in the Law Office of Mr.K.K. Venugopal, Senior Advocate and then in the Law Office of Mr.Rangarajan Kumaramangalam, Senior Advocate. During my years as a lawyer, I worked as a legal advisor to the University of Madras and the Corporation of Chennai. I worked as Special Government Pleader for Education and as Special Government Pleader – Writs. In December 1998, I was appointed as Government Pleader. I was then appointed as a Judge of the Madras High Court on 2nd March 2000. I assumed my charge as Chief Justice of this Court on 26.9.2012. My tenure here is short.

The judiciary, especially in a democratic country like ours, is

well known for its impartiality. In numerous cases it has taken decisions against the state as well for the achievement of the ends of justice. This impartiality of the judicial system in a democratic state can be attributed to the good qualities of judges who have always asserted their independence from executive control.

A judge is accorded great respect by the state as well as by its citizens. He is not only permitted to assert his freedom and impartiality but also expected to use all his skills to protect the rights of the individual against arbitrariness. The characteristics of a good judge are not esoteric, nor have they significantly changed in thousands of years. They are still the same as they were when described by Socrates: "*To hear courteously, to answer wisely, to consider soberly, and to decide impartially.*"

The qualities of a good judge include wisdom, courage, firmness, alertness, incorruptibility and the gifts of sympathy and insight. In the execution of his functions, a judge has to exercise patience and alertness so that he can hear all the arguments of the contending parties to a dispute and arrive at a wise decision. An impatient judge can hardly act with reason, however wise he may be. Patience and alertness are therefore essential qualities of a good judge. Willingness to listen is one of the good characters of a Judge.

I firmly believe that we live in a world in which values like kindness and compassion are essential which I kept always in my mind while discharging my duties. I also firmly believe that the greatest strength of the judiciary is the faith of the people in it. On my part, I had lived up to the expectation of a person to be a Judge. I had always kept in mind the words spoken by the then Governor General of Madras when he handed over the keys of the Madras High Court buildings in the year 1862 to the then Chief Justice Sir Arthur Collins and the Chief Justice's reply. His Excellency Governor General of Madras Sir Wenlock has said:

"I have pleasure in handing you the key as a token that the building has been entrusted to your hands by the Government, in full confidence that the administration of justice will be carried on with the ability and integrity --- and we may look forward with the full knowledge and satisfaction that the best of your lives will be devoted by carrying on the notable work - the uninterrupted administration of justice."

While accepting the key, the then Chief Justice said.

I quote:

"I do assure your excellency that Her Majesty's Judges will, to the utmost of their ability, endeavour to do their duty in fear of God and without fear of men."

I do have the satisfaction that I discharged my duties in fear of God and to the solemn oath I had taken and not in fear of men. I have no second opinion to say that I managed to do the work to my utmost satisfaction only because of the love and affection shown to me both by senior advocates and young members of the Bar who extended their invaluable assistance in the Court. I extend my wholehearted thanks to all of them.

Senior lawyers are professional builders and the future generation of lawyers and the legal profession are at their hands. They must guide the junior lawyers to shape themselves to become able and dedicated lawyers.

Young lawyers with poor background and downtrodden families entering into the legal profession must be supported financially by the senior members. I take this opportunity to request all the learned senior members of the Bar to encourage the young and inspiring advocates to do well in order to maintain the traditions set by our elders in this noble profession.

The young lawyers are the assets of the future. The junior lawyers should maintain the rich traditions and the ideals attached to the profession and render their fullest co-operation to the bench for effective dispensation of justice to the needy. To be a successful and meaningful lawyer and

above all to be a good person, one should be honest to himself, should be humble to fellow beings, should be affectionate to family members and should be sincere to the profession. I am confident that an active Bar with utmost dedication to the profession would build a strong judiciary with highest dignity and integrity. I hope that they will take this in right earnest and sincerely follow.

As far as fresh law graduates are concerned, they must first decide as to whether they should enter into the profession or not. Once they decide to enter into the profession, they should devote themselves fully to the profession without a second thought. Before choosing the law profession, the following words of Abraham Lincoln made in the law lecture on 1.7.1850 should be kept in mind, I quote:

“Let no young man choosing the law for a calling for a moment yield to the popular belief-resolve to be honest at all events; and if in your own judgment you cannot be a honest lawyer, resolve to be honest without being a lawyer.”

It is the time to express my gratitude to all those who have assisted me in discharge of both judicial as well my administrative functions. In general, I had the fullest cooperation of all my Judges in all my endeavors in discharge of my administrative functions. They showed lot

of love and affection which gave me the courage and determination to carry on my work. I express my gratitude to Justice Sanjay Kishan Kaul, Justice Badar Durrez Ahmed, Justice Pradeep Nandrajog, Justice Gita Mittal, Justice Ravindra Bhat and Justice Reva Khetrapal, the Administrative Committee Judges. Though I had lot of assistance and support from almost all Judges, I refrain from marking each name for time constraint. On judicial side, I had the fullest cooperation and assistance from Justice Rajiv Sahai Endlaw, Justice V.K. Jain and Justice Jayant Nath who sat with me on the Bench. I will be failing in my duty if I do not refer the invaluable services rendered by the Registrar General, Registrars, officers, particularly the entire staff attached to the Chief Justice Secretariat including Mr. H.C. Suri, my PPS, Mr. H.C. Pandey, my PS, Mr. Lalit Kumar Jolly, Court Officer all my PAs, support staff and Law Researchers. I take this opportunity to thank each one of them from bottom of my heart.

Now coming to my family members. My parents taught me the discipline and how to respect others and more so the elders. They taught me to be humble and compassionate. I firmly believe that the discipline taught to me is the foundation for my entire career which with utmost faith I followed till today. I had the fullest cooperation from my wife, daughters, in-laws and grand children, who never interfered in my judicial function.

Though it is time to say good bye, I will not say it for the simple reason that, "*there are no good byes, wherever you all will be, you all will be in my hearts*". All that requires for a Judge while retiring is that he should retire with dignity. You are the best Judge to say there which in fact was said by the speakers.

I am confident that both the Bar and the Bench would continue to do their best to ensure the people that the law is duly administered as per the mandates by our Constitution.

I am sure that wherever I am, I shall always treasure the memories of this High Court and the experience gained from here. Thank you all so much for coming and allowing me to express my feelings today. I am touched greatly by the honour you have done to me. I tried to keep calmness always in my duties. If at all, at any point of time, I was harsh to any Advocate and particularly a young Advocate, I swear that it was only in the interest of the institution and not otherwise. If I had offended anybody at any time, please forgive me for my act. In conclusion, I wholeheartedly express my good wishes to all of you.

THANK YOU