

**ADMINISTRATION OF DISTRICT COURTS – INSPECTION, DISCIPLINARY PROCEEDINGS,  
ANNUAL CONFIDENTIAL REPORTS – STAFF RECRUITMENT**

by

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Beloved Respected Brother Hon'ble Justice D. Murugesan, other Dignitaries and my dear brother judges assembled here, to one and all my good wishes and happy morning.

At the outset, I must thank the President, Board of Governments, Tamil Nadu State Judicial Academy, Chennai – Hon'ble Justice D. Murugesan and Hon'ble Justice P. Jyothimani, for giving me an opportunity, to stand before you, remembering me, though I had left the service in the year 2007 early.

Dear Brothers, all of you are senior judges of the Tamil Nadu Judicial Service and I feel personally, you may not require any detailed lecture regarding the administration, inspection etc. generally. Whatever may be our capacity, sometimes experience counts much and in this view alone to add, I want to share my experience also with you, since I had served in the Tamil Nadu Judiciary as Inspecting Authorities for more than 10 years.

It is the known principle / fact, that you are the connecting bridge, conduit between the Hon'ble High Court of Judicature at Madras and the Sub-ordinate Judicial Officers, you are responsible for the well administration of the District or ill-administration of the District. An Institution, though you are supposed to pay more concentration on judicial side, requires to flourish, satisfying its needs, there should be a good governance that is a defined, regularized, channelized administration. If the administration cracks or by the indiscipline among us, failed to serve its purpose, then as the administrative Head of the District, you may be held responsible and therefore, you must know your administration. Our administration (Judicial) is entirely different from the administration available in other Departments since we are judicial oriented, answerable to the Hon'ble High Court as well as there is an accountability to the people in rendering social justice, satisfying the aim of the legislation.

**PUNCTUALITY:**

There should be punctuality in coming to the Office and Court. As the head of the Court, when you maintain the punctuality certainly your staff will follow you and if you commit delay, that will be followed under the impression, the Judge may not be available to question. In order to control the deficiency in punctuality, as and when you reach the Office, giving margin for the office time, you should call for the Attendance Register, note down the absentees, if it is persistence, in the days to come, do not hesitate to take action, since as you know 3 days delay attendance will curtail ½ day Casual Leave.

As the administrator of the Office, you should not always delegate or transfer your power, to subordinate namely Sarasdhar or P.A., though you can direct them, to perform the duties. Our system requires, maintenance of so many records, and all the records are inter-connected. Therefore, make it a point, that all the registers are available, if not available, using some other registers, certifying the non-availability.

To have check and fix responsibilities, then to take action against the defaulter, an Office should compulsorily have Office Order, assigning the works, to be performed by the Staff, depending upon cadrewise. The Headministerial Officer or the Sarasdhar as the case may be, should be directed to prepare Running Note

File periodically, say for every month or depending upon the need and work for each branch, noting the deviation, mistakes, omissions etc., and seeing the Running Note, you should give appropriate directions in the Running Note itself for rectification, fixing the time, failure informing, disciplinary proceedings will follow, thereby, you can periodically avoid omissions, commissions, make the records perfect, thereby answering the higher authorities also on seeing the perfect records as and when required.

### **SERVICE REGISTER:**

This register is very important for the Staff, since that alone gives the right and benefits, where alone, we record everything, in respect of Government Servant. It must be verified annually regarding the entries relating to the Government Servant are noted or not, e.g. taking Earned Leave, going on loss of pay, taking Medical Leave, calculating Earned Leave, deductions as and when taken etc., which will enable the Government Servant to know his position then to go freely on his attaining superannuation.

### **TRANSFER:**

Under your control in a District, there are many Courts, many Staffs and some of them may be working in the same place years together, thereby creating vested interest, not attending their legitimate work. As you know, as far as possible, there should be periodical transfers, as per the rules and regulations since no one can claim, that his service is indispensable in a given seat, and you should see, this kind of vested interest should be avoided.

### **CIRCULARS:-**

It is also your duty, whenever encountered with a problem, to rectify the same uniformly, issue periodical Circulars, based upon the rules and regulations, requesting or directing the Staff to follow the rules strictly, serving its purpose.

### **REGISTERS (GENERAL):**

There are many registers, to be maintained as prescribed under Civil Rules of Practice and it may not be possible for me at present to invite you to all the registers with reference to the rules number and its purpose and my request is, to be a very good administrator, first you must know the rules relating to your administration, then automatically everything will be at your palm.

### **INSPECTION:**

As all of you know, though we are in the Computer age still we are following the old system of filling, entering/registering in so many registers, and I understand, there is no change even now. The affected parties namely litigants are entrusting their valuable records, filing their case, trusting us and therefore, it is our great responsibility, to maintain the records properly, not only for the assessment of the concerned judges, but also for the assessment by the appellate judges, since your order is not the final. Unless you maintain the record properly, making necessary entries, including running index for the papers filed, it may not be possible for you to submit the records forthwith, to the appellate authorities and I have seen many cases, appeals were waiting, for the receipt of the records years together, from the lower Courts, which should be avoided.

### **HOW TO AVOID:**

Under the rules, (which I do not remember exactly), there should be annual inspection of every Court, in addition to, surprise inspection as and when required, apart from inspection by the Hon'ble High Court also. You should not take the inspection of the lower Courts, so lightly, as if, it is a holiday or some change, but it should be taken very seriously. There should be preparation of notes prior to your personal inspection, for which, Form is prescribed by the Hon'ble High Court, as per the Civil Rules of Practice and Circular Order, Form No.15, which will give you a great guidelines, about the availability of the registers, how it should be checked etc., For

example, I will illustrate the method of inspection to some extent, which may cover the entire records from the date of inception of the cases, till the termination of the case also:

- (1). Filing of Plaintiff: C.F. Register – Suit Register -  
IA Register – Disposal Register –  
E.A. Register – EP Register – Appeal Register etc., -

(explain the procedure in detail). All the papers which are relevant, orders, including judgments, EP, FS should be recorded in the Suit Register, for which, a separate number is assigned. Therefore, if you take a pending case or a disposed case, having the papers, you can travel all the registers and find out the commissions, omissions, irregularity if any and that will serve effectively the annual inspection.

### **During the annual inspection, you are expected to verify:-**

- (1) Maintenance of all the registers, Permanent Advance, Register, Cheque Issue Register, Cheque Receipt Register, Correspondingly Deposit Register, Repayment Register, Cheque Application Register etc.,

Therefore, you should not satisfy, by the preliminary notes of the annual inspection alone, and you should check it personally also, as said above and based upon this, you should give your remarks, about the performance of the judge concerned or the Office concerned, including Head Ministerial Officer, which will tell up in their administration.

### **POST INSEPTION:**

As inspecting authority, I have seen in many offices, after inspection, things forgotten, which should not be the case. During the inspection, you might have pointed out the dereliction, commission, omission which should be rectified as far as possible, unless, it cannot be rectified for unavoidable reasons. Therefore, all the brother judges are requested to take it serious, regarding the rectification report, that alone will serve the purpose of annual inspection effectively.

On the administrative side as well as, on the judicial side, you have to make necessary inspection, such as whether proper Court fees are collected, pleadings are proper as mandated under C.P.C., question of limitation, to some extent, maintainability of the case also.

Your carrier or your performance is judged by your Judgment that is the “end product” of your labour, which will reflect you and show to others, who are you, what is your capacity and what is your social approach etc., please, avoid entrusting the typing of pleadings to the Stenographers. There also you should endeavor to extract the pleadings briefly. In many Courts, I have seen, issues were obtained, from the parties, typed – avoid. Order 14 mandates the duty on you.

In the preamble of the judgment, say all the prayers sought for, briefly and correspondingly in the operative portion of the judgment, give the details regarding the relief granted, relief negative, grant of interest, costs etc., in detail, instead of saying, Suit decreed as prayed for since it may cause problem in drafting the decree, which is generally done by the Office. Further, until the regular decree is drafted, operative portion may be us as decree to prefer appeal (Vide Order 20). As inspecting authority to make the Sub-ordinate judge to be more sensitive, please inspect the records in this line also.

### **DISCIPLINARY PROCEEDINGS:**

Where there is no discipline, there bound to be mis-management, omission affecting the system itself, as cancer. As the appointing authority, you can take action:

- (1) for inaction or over action and omission – dereliction of Duty, insubordination etc., and even you can suspend under Section 17(e) of the Tamil Nadu Civil Services (Disciplinary and Appeal Rules) depending upon the nature of the offence, when we feel the continuation of the Staff may cause problem in the public interest etc.,

**Minor Punishment, Major Punishment, who can give the punishment:**

Even though the Officer is not an appointing authority, he can also taken action, frame charges and as classified under Tamil Nadu Civil Services Disciplinary and Appeal Rules, within the power of the Enquiry Officer, they can impose punishment, except major punishment, which can be inflicted by the appointing authority alone.

**ANNUAL CONFIDENCE REPORT:**

You are expected to assess the work of your Sub-ordinate Officers including P.A. Sarashdar for whom you should write Annual Confident Report, which guides the higher authorities or even you while considering the promotion and other disciplinary proceedings when the seniority alone is not the criteria and efficiency could be taken. Now, it appears even the mode of assessment prescribed by specific words.

**STAFF RECRUITMENT:**

Your role under this heading appears to be, to my knowledge, is very limited, except the services some posts in basic services like O.A. etc., you have no independent role to recruit the Staff and this also depends upon the person sent from the Employment Exchange.

**T.N.P.S.C. ALLOTMENT:** Junior Assistants, Stenographer and Typist.

**PROMOTION:**

Maintenance of seniority list – explain – circulated to be approved. Temporary appointment – Temporary promotion – relinquishment, VRS.

Whatever I have said, everything depends upon the individual cases, which you –feel

- Realize
- Act
- You are the Master.

Your Superior Officer, your Controlling Officer, your Supervising Authority must be your “conscious” and if you act under its direction, you will be a very good administrator, wonderful judge, liked by one and all, above all, you will be a good man/human and will be the Master of your Court.

“BE BOLD TO BE HONEST”

“BE HONEST TO BE BOLD”

What I said is very little, tempting you, for detail.

Thanking you one and all for patient hearing, and this Academy, its administration for giving me this opportunity.

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