

**Speech delivered by
Hon'ble Mr. Justice T. RAJA
Acting Chief Justice, High Court of Madras
At
TAMIL NADU STATE JUDICIAL ACADEMY, CHENNAI
During the
Training Programme for Bangladesh Judges & Judicial
Officers
(SE-02) – Phase II
On
23rd October, 2022 @ 9.00 a.m. (Sunday)**

Vanakkam, a very Good morning to –

Hon'ble Ms. Justice **INDIRA BANERJEE**, former Judge of the Supreme Court of India,

Board of Governors of Tamil Nadu State Judicial Academy,

Hon'ble Mr. Justice **M. SUNDAR**, Hon'ble Mr. Justice **R. SURESH KUMAR**, Hon'ble Mr. Justice **S.M. SUBRAMANIAM**, Hon'ble Mr. Justice **C.V. KARTHIKEYAN**, Hon'ble Mr. Justice **A.D. JAGADISH CHANDIRA**,

My beloved brother and sister Judges of the Madras High Court,

Brother & Sister Judges and Judicial Officers from Bangladesh,

Former Judges of the High Court, Respective Law Secretaries from Government of Tamil Nadu and Union Territory of Puducherry, Mr. Sanjay Kumar Srivastava, Former Principal Chief

Conservator of Forest, Learned Other Advocates who are here to give lectures to the dignitaries present here, Director, Deputy Director and Assistant Director, Staff of Tamil Nadu State Judicial Academy,

Being Patron-in-Chief of Tamil Nadu State Judicial Academy, I wholeheartedly welcome all the Hon'ble Judges & Judicial Officers from Bangladesh and I am glad to inaugurate Phase II of the Training Programme.

It is heartening to note that **India was the first country to recognize Bangladesh** as a separate and independent State and established diplomatic relations with the country immediately after its independence in **December 1971** as a friendly **South Asian neighbour**. The good relation between us is essential for the development of North-east region, exploring the Indo-Pacific region and for greater connectivity to South Asian countries.

I am happily remembering that in the year 2021, India joined the celebrations of the Golden Jubilee of the Independence of

Bangladesh, the Birth Centenary of the Father of the Nation Bangabandhu Sheikh Mujibur Rahman and 50 years of establishment of diplomatic relations between India and Bangladesh. Bangladesh occupies a key place in **India's Neighbourhood First policy**. India's links with Bangladesh are civilisational, cultural, social and economic. There is much that unites the two countries- a **shared history and common heritage**, linguistic and cultural ties, **passion for music, literature and the arts**.

We all familiar with the name **Rabindranath Tagore**, a great scholar and poet who influenced people just with the stroke of his pen, created the **National Anthems** of both India and Bangladesh. We share the patronage of such a great philosopher. Let me quote from Rabindranath Tagore's 12th poem from Geetanjali,

"...It is the most distant course that comes nearest to thyself, and that **training** is the most intricate which leads to the utter simplicity of a tune...." I unquote.

As the musician's creation of a simple harmony is the result of a long, arduous process, the journey to achieve justice is a similar

process which requires the cooperation of everyone involved. We all have gathered here to compose the harmony of justice.

I am reminded about the dialogues between Gandhi and Tagore published in an issue of Young India, dated 23 January 1930 carried a report of Tagore's visit to Gandhi's Ashram in Ahmedabad, written by Mahadev Desai.

“...The sacrifice needed for serving our country must not consist in merely emotional enthusiasm which is indulged in as a sort of luxury, but it should be a real discipline of truth and a severe discipline of truth...”

Judicial discipline of India and Bangladesh shares a strong bond of history, language, and culture. A shared history and common heritage, linguistic and cultural ties, passion for music, literature and the arts unites and binds us together even more.

Rule of Law is one of the basic features of the Indian and Bangladeshi legal system. This commonality is reflected in our multi-

dimensional and expanding relations. Together we endeavour to take this common vision forward.

On behalf of the Tamil Nadu State Judicial Academy, I am overwhelmed to host you on this landmark event. Today is a remarkable day, which is marked as a symbol of sovereignty, equality, trust, and understanding of law that goes far beyond borders. I am proud to lay the pathway for this programme in Tamil Nadu.

Tamil Nadu is known for its generosity and hospitality. The popular saying Vandharai vazhavaikum Chennai which translates to providing life through nourishment and livelihood to everyone who comes to Chennai, is a testament to this fact.

Tamil Nadu has a well-established legal system since the ancient period known as the Sangam period. The ideal of justice in Tamil is known as அறம், which is the cardinal principle of law imbuing righteousness. Persons who administered justice during the Sangam period were governed by the principles of equity embodied in the

word, aramm. Essentially, Tamil Nadu is a state that strives to achieve social progress through social justice.

The objective of this Training Programme is to develop reciprocity, capacity building and synergy in judicial learning. This is very important for evolution. Reciprocity, capacity building and synergy can only be achieved through continuously engaging in information exchanges. Sharing of information promotes standardization.

Today it can be seen that judiciary of two nations have enjoined together to discuss, deliberate and discourse the rule of law. Participation in such international level exercise is an indication of the highest level of trust and confidence between India and Bangladesh. It is a key confidence building measure and an indication of the faith reposed by both the nations towards each other.

Kahlil Gibran, in *The Vision—Reflections on the Way of the Soul*, quotes,

“Yesterday we obeyed kings and bent our necks before emperors. But today we kneel only to truth, follow only beauty, and obey only love.” I unquote.

International exposure promotes judicial discipline. Discipline of judges is closely related to judicial accountability and there is an inter-relationship between judicial accountability and judicial independence. Independence of judiciary means a fair and neutral judicial system of a country, which can afford to take its decisions without any interference of executive or legislative branch of government. It requires that judges should not be subject to control by the government or by any one rather they should enjoy protection from any threats, interference or manipulation which may either force them to unjustly favor the government or subject themselves to punishment for not doing so.

This training programme would trace the overview and architecture of Indian constitutional arrangement, highlighting the constitutional vision of justice with its goals, roles and vision of Courts.

Judiciary has taken a new turn after the pandemic. Practices and Procedures have turned digital. It is important that the power of Information and Communication Technology and e-judiciary initiatives be studied for making the judiciary more accountable and responsible for the society at large.

A judge's demeanour is analysed by the ethics we keep, neutrality we showcase and the professionalism we conduct. This should be the most important learning. As judges every one of us torches the constitutional vision of justice. The Constitution envisages and propagates to establish justice (social, economic and political), and which is executed and implemented in letter and spirit by the tier-one judiciary. We embark on a journey to serve for equality with no discrimination. There should be fair treatment, empowerment and positive action that come with no limitations.

The National Judicial Academy, Bhopal has identified the Tamil Nadu State Judicial Academy as the first destination in India for imparting transnational judicial learning. This is a moment of pride for

the Tamil Nadu State Judicial Academy to host the first batch of foreign judges, from Bangladesh.

Throughout the week-long training programme, eminent judicial and legal luminaries will share their experience and insights with you. It gives me immense pleasure to have former judge of the Supreme Court of India, Hon'ble Ms. Justice Indira Banerjee, and former judges of the Madras High Court, Hon'ble Mr. Justice M. Sathyanarayan, Hon'ble Mr. Justice S. Nagamuthu, who have kindly consented to grace this august occasion and spared their precious time to share the wisdom and valuable insights for your benefit.

With that, I conclude my address. I once again warmly welcome all of you to Tamil Nadu State Judicial Academy. I wish you a pleasant stay and a vibrant learning experience. Thank you!
