

Home, Prohibition & Excise Department

Administration of Justice

Policy Note on Demand No.3

2008-2009

Sl.No.	Subject
(1)	(2)
I	Introduction
II	Organisational Hierarchy of the Judiciary
III	The strength of Courts
IV	High Court, Madras
V	The High Court Bench at Madurai
VI	Civil Courts
VII	Criminal Courts
VIII	Special Courts functioning in Tamil Nadu
IX	Tamil Law Journal
X	Judicial Academy
XI	Decentralisation of Subordinate Courts
XII	Computerisation
XIII	Introduction of Tamil Language in the Proceedings of the High Court
XIV	Centrally sponsored Scheme for infrastructure facilities for Courts
XV	Infrastructure facilities for the Courts in Tamil Nadu
XVI	Pendency of cases
XVII	Part II Schemes for 2008-09
XVIII	Tamil Nadu State Legal Services Authority
XIX	Directorate of Prosecution
XX	The Department of Government Litigations, High Court, Chennai
XXI	Conclusion
	Annexure I to VII

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I. Introduction

One of the primary objectives of our Constitution is to secure speedy justice to all citizens. Towards this end, the Government has always sought to ensure adequate facilities in terms of buildings, manpower and other infrastructure to facilitate the quick dispensation of justice to the public.

II. Organisational Hierarchy of the Judiciary

2. All the High Courts functioning in the various States are under the control of the Hon'ble Supreme Court which is the apex court of the Country. The hierarchy of Judiciary at state level is as indicated in the Annexure I.

3. In addition, the following courts/offices are also functioning in the State under the various provisions of Law.

- i. Official Assignee, High Court, Chennai.
- ii. Administrator General and Official Trustee, Chennai.
- iii. Labour courts at Chennai (3 in Chennai), Madurai, Coimbatore, Tirunelveli, Cuddalore, Salem, Tiruchirappalli and Vellore.
- iv. Industrial Tribunal, Chennai.
- v. Family Courts at Chennai, Madurai, Coimbatore and Salem.
- vi. Special Courts for trial of Economic Offences at Chennai and Madurai.
- vii. Special Courts for protection of civil rights.
- viii. Designated courts under "TADA" .
- ix. Special Courts for trial of Essential Commodities Act cases and Narcotic Drugs and Psychotropic substances Act Cases.
- x. Special courts for exclusive trial of C.B.I. Cases, at Chennai, Coimbatore and Madurai.
- xi. Special Courts for exclusive trial of bomb blast cases at Chennai and Coimbatore.
- xii. Special Court for the trial of Cases on Communal Clashes at Madurai.
- xiii. Mahila Courts (Magalir Neethimandram) at Chennai, Coimbatore, Madurai, Tiruchirappalli, Tirunelveli, Salem, Perambalur and Cuddalore.

- xiv. Fast Track Courts (49 Nos.)
- xv. Special Court for Tamil Nadu Protection of Interests of Depositors cases at Chennai.
- xvi. Special Court for exclusive Trial of cases of Land Acquisition, at Perambalur.

III. The Strength of Courts :

- 4. The present strength of the courts is given in Annexure-II.

IV. High Court, Madras.

5. The High Court is the highest court of justice in the State. The approved strength of Honourable Judges of the High Court is 49. The High Court (Both Principal Bench at Madras and the Bench at Madurai) is now functioning with a strength of 45 Judges.

6. The High Court exercises original Jurisdiction and special original Jurisdiction (Writ Jurisdiction) in Civil matters. It also has appellate Jurisdiction both in Civil and Criminal matters. On the original side, the High Court tries suits above the value of Rs.10,00,000/- arising within the City of Chennai. The distribution of work among the Honourable Judges is done by the Honourable Chief Justice. The High Court is also exercising extended Jurisdiction over the Union Territory of Puducherry, and the expenditure on Officers and Staff attending to Puducherry in the High Court is initially incurred by the Government of Tamil Nadu, and is reimbursed subsequently by the Government of Puducherry. The estimated expenditure including extension of jurisdiction to Puducherry is Rs.40.65 Crores for 2008 – 2009.

7. The Registrar General, with association of Registrar (Vigilance), Registrar (Judicial), Registrar (Administration) and Registrar (Management) is the administrative head of the High Court. The Registrars are assisted by the Master, Deputy Registrars, Assistant Registrars, Chief Accounts Officer and Sub-Assistant Registrars.

8. Besides dispensing Justice, the High Court exercises full administrative control over the entire Subordinate Judiciary in the State.

V. The High Court Bench at Madurai.

9. As per the Notification issued by His Excellency the President of India in G.S.R.No.446 (E), Dated : 06-07-2004 "THE MADRAS HIGH COURT (ESTABLISHMENT OF A PERMANENT BENCH AT MADURAI) ORDER 2004", the Madras High Court Bench at Madurai was inaugurated and started functioning with effect from 24.7.2004 with jurisdiction over the Districts of Madurai, Dindigul, Pudukottai, Thanjavur, Tiruchirappalli, Karur, Sivaganga, Ramanathapuram, Virudhunagar, Tirunelveli, Tuticorin, Kanniyakumari and Theni. At present the Madurai Bench of the Madras High Court is functioning with a strength of 12 Honourable Judges.

10. Excepting Original Jurisdiction, the Madurai Bench of the Madras High Court exercises Jurisdiction in all other matters as in the case of the Madras High Court. The Registrar (Administration) Madurai Bench in association with Registrar (Judicial) is the administrative head for the Madurai Bench. The Registrars are assisted by Deputy Registrars, Assistant Registrars, Accounts Officer, Sub-Assistant Registrars. The estimated expenditure in respect of Madurai Bench of Madras High Court is Rs.10.28 Crores for 2008 – 2009.

VI. Civil Courts

11.1 Chennai City

(a) City Civil Court, Chennai

There are 31 Judicial Officers, consisting of 12 in the cadre of District Judge (including one Magalir Neethimandram Judge), 18 in the cadre of Civil Judge (Senior Division) and the Registrar in the cadre of Civil Judge (Junior Division) who is in-charge of Administration. The Territorial Jurisdiction of the City Civil Court extends over the whole of the City of Chennai. If the value of a case is in excess of Rs.10,00,000/- (Rupees Ten lakhs only) the suit has to be instituted in the High Court. The City Civil Court is also functioning as the Sessions Court for the Chennai Sessions Division. An Additional City Civil Court is functioning for the exclusive trial of cases of corruption, etc. under the Prevention of Corruption Act, 1988. There is a Special Court functioning for exclusive trial of cases under the Tamil Nadu Protection of Interests of Depositors (in Financial Establishments) Act, 1997. The estimated expenditure in respect of the City Civil Court is Rs.9.07 Crores for 2008 - 09.

(b) Court of Small Causes, Chennai.

The Court is presided over by the Chief Judge in the cadre of a District Judge. Apart from 8 Judges each in the cadre of Civil Judges (Senior Division), Civil Judges (Junior Division) respectively including a Registrar who is in-charge of the administration. The Registrar is also attending to judicial functions such as disposal of certain Execution Petitions. The Chief Judge and other Judges of the Court of Small Causes exercise Small Causes powers under the Presidency Small Cause Courts Act, 1882. The V and VI Judges are exclusively functioning as Tribunals for the trial of cases under the Motor Vehicles Act, The Chief Judge and II, III and IV Judges have also been empowered to try cases under the Motor Vehicles Act. The X to XVI Judges are functioning as Rent Controllers for the City of Chennai. The Chief Judge and Judges II to IV, VII and VIII empowered to hear rent control appeals. The estimate of expenditure on the Small Causes Court is Rs.4.25 Crores for 2008-09.

11.2 Mofussil :

(a) District Courts :

Apart from the 28 District Courts already functioning in the State one more District Court at Thiruvavur has also been sanctioned by the Government in 2007 - 08. The District Judges are also the Sessions Judges of the respective Divisions. They are functioning as Special Tribunals under certain special enactments such as the Employees State Insurance Act, the Estate Abolition Act and the Motor Vehicles Act. By Act 1 of 2004, the Tamil Nadu Civil Courts Act, 1873 and the Chennai City Civil Court Act 1892 have been amended revising the pecuniary Jurisdiction of the Civil Courts in the Mofussil whereby the pecuniary Jurisdiction of the District Munsif's Court has been enhanced. The Jurisdiction of the Sub Courts has been reorganized as under:

District Munsif Court	Sub Court	District Court
Enhanced from Rs.30,000/- (Rupees Thirty thousand only) to Rs.1,00,000/- (Rupees One lakh only)	Exceeding Rs.1,00,000/- (Rupees One lakh only) but not exceeding Rs.5,00,000/- (Rupees Five lakhs only)	Above Rs.5,00,000/- (Rupees five lakhs only) without any limitation.

They exercise Civil Appellate Jurisdiction over the District. The District Judges are inspecting the Subordinate Civil Courts in their respective Divisions.

(b) Civil Judge-Senior Division

The Civil Judges (Senior Division) are having pecuniary Jurisdiction in all Civil Proceedings wherein the value of subject matter exceeds one lakh Rupees, but does not exceed five lakh Rupees. The Jurisdiction is defined under the Civil Courts Act. They are also exercising appellate powers in respect of appeals arising from and out of the decisions of the District Munsifs functioning in their respective territorial Jurisdiction upto the value of Rs.1,00,000/-. The Civil Judges (Senior Division) are also functioning as Assistant Sessions Judges. Sub-Courts are also functioning as Motor Accident Claims Tribunals. There are 107 Sub-Courts already functioning in the State. The Government have sanctioned the constitution of 4 New Sub Courts at Thiruchengode, Rasipuram in Namakkal District, Neyveli in Cuddalore District and Perambalur in Perambalur District in 2007 – 08.

(c) Civil Judge - Junior Division

The Civil Judges (Junior Division) exercise pecuniary jurisdiction upto Rs.1,00,000/- Each District Munsif's Court has defined territorial jurisdiction. They are exercising Small Causes jurisdiction also upto Rs.20,000/- They are Rent Controllers of their respective territorial Jurisdictions. There are 160 District Munsif Courts functioning in the State. The Government have sanctioned the Constitution of 3 Additional District Munsif Courts at Gudalur in Nilgiris District, Poonmallee in Thiruvallur District and Vaniampadi in Vellore District.

(d) District Munsif-cum-Judicial Magistrate Courts:

The litigant public of certain parts of the State have been experiencing difficulties in having their civil grievances redressed, and they have to resort to Civil Courts outside their area, due to the absence of Civil Courts in their locality. With a view to mitigate their difficulties, these Courts now try both civil and criminal cases. The total number of District Munsif-cum-Judicial Magistrate Courts are 66. The Government have sanctioned 5 new District Munsif-cum Judicial Magistrate Courts at Uthukottai in Thiruvallur District, Vedaranyam in Nagapattinam District, Pappireddipatti in Dharmapuri District, Vadipatti in Madurai District and Sriperumpudur in Kancheepuram District in 2007 – 08. A Civil Court consists of three Establishments namely, Regular Establishment, Copyist Establishment and Process Service Establishment. The estimate of expenditure in respect of all District Courts, Sub-Courts and District Munsif Courts in the Mofussil for 2008 - 09 is Rs.140.86 Crores.

(e) Labour Courts:

There are 10 Labour Courts functioning in the State. Three in Chennai and one each at Madurai, Coimbatore, Vellore, Salem, Tiruchirappalli, Cuddalore and Tirunelveli. The Government have sanctioned two courts, one at Chennai and the other at Vellore in 2007-08. There is also an Industrial Tribunal in Chennai having State wide jurisdiction. The Presiding Officers of the Labour Courts and the Industrial Tribunal are in the cadre of District Judges. The Labour Courts are adjudicating the Labour disputes referred to them by the Government and also the claim petitions filed by parties. All the Presiding Officers of the Labour Courts and the Industrial Tribunal are touring officers, and they hold Camp Courts for adjudicating Labour disputes and claim petitions in their respective jurisdiction. The estimate of expenditure in respect of the Labour Courts and the Industrial Tribunal, Chennai for the year 2008-2009 is Rs.2.94 Crores.

VII. Criminal Courts

12.1 Chennai City

There are 24 Metropolitan Magistrate Courts functioning in the City of Chennai including the Court of Chief Metropolitan Magistrate and the Court of Additional Chief Metropolitan Magistrate. Of the 24 Courts, 7 are presided over by Civil Judge (Senior Division) and the rest by Civil Judges (Junior Division). The Metropolitan Magistrates are exercising Jurisdiction with reference to the Police Stations in the City of Chennai. The estimate of expenditure in respect of Metropolitan Magistrate Courts in the City is Rs.6.45 Crores for 2008 – 2009.

12.2 Mofussil :

(a) Chief Judicial Magistrate Courts:

There are 28 Chief Judicial Magistrates Courts functioning in the state and one more Chief Judicial Magistrate Court at Thiruvavur has been sanctioned by the Government in 2007 -08. The Chief Judicial Magistrates are also conferred with the powers of any Assistant Sessions Judge in certain category of cases. They inspect the Court of Judicial Magistrates in their respective District.

(b) Judicial Magistrate Courts :

There are 181 Judicial Magistrate Courts in the State. The estimated expenditure on the Criminal Courts in the Mofussil is Rs.64.14 Crores during 2008-2009.

VIII. Special Courts functioning in Tamil Nadu:

a) Special Courts for trying cases relating to the atrocities against the Scheduled Castes/Scheduled Tribes:

There are four Additional Sessions Courts for trial of cases registered under Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and Protection of Civil Rights Act having jurisdiction over 14 districts. The details of the courts is enclosed as Annexure - III. In respect of the remaining districts, the concerned Principal Sessions Court try the offenses under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act. The expenditure in respect of the Special Courts for the Protection of Civil Rights Act Cases is estimated at Rs.1.08 Crores for 2008-09.

b) Special Courts to try Economic Offences :

There are three Special Courts, two at Chennai, viz. Additional Chief Metropolitan Magistrate E.O.-I & E.O.-II which are in the cadre of District Judge and the Chief Judicial Magistrate at Madurai is in the cadre of Civil Judge (Senior Division). The expenditure for these courts is estimated at Rs.75.91 lakhs for the year 2008-09.

c) Family Courts :

There are six Family Courts, three at Chennai, and one each at Madurai, Coimbatore and Salem. The expenditure for these Courts is estimated at Rs.2.29 Crores for 2008-09.

d) Special Courts for trial of C.B.I. Cases:

There are 4 Special Courts functioning for exclusive trial of C.B.I. Cases in the State: two in Chennai and one each in Madurai and Coimbatore. The expenditure on Special Courts for CBI cases is estimated at Rs.1.58 Crores for 2008-09. The Government have sanctioned constitution of one more Court in Chennai in 2007 – 08 for the trial of CBI cases.

e) Special Court for trial of Narcotic Drugs and Psychotropic Substances Act cases:

An Additional Special Court is functioning for exclusive trial of cases booked under the Narcotic Drugs and Psychotropic Substances Act in Chennai. The expenditure on NDPS Courts is estimated at Rs.27.73 lakhs for 2008-09.

f) Tribunal under Criminal Law Amendment Act, 1908 :

The said Tribunal is functioning in High Court at Madras. The expenditure of the said Tribunal constituted under the Indian Criminal Law Amendment Act, 1908 is estimated at Rs.29.30 lakhs for the year 2008-2009.

g) Special Courts for sandalwood offences:

There is one Special Court to deal with sandalwood offences, at Tiruppathur in Vellore District.

h) Railway Courts :

There are Railway Magistrate's Courts in the districts of Vellore, Cuddalore, Coimbatore, Salem, Madurai, Thanjavur and Tiruchirappalli, besides those at Egmore and Central Railway Stations in Chennai for trial of offences in respect of ticketless travel, etc., under the Indian Railway Act.

i) Mobile Courts :

There are two Mobile Courts functioning for the trial of traffic offences in Chennai. The Government have sanctioned 10 more mobile Courts in 2006 – 07.

j) Designated Courts under TADA Act, 1987:

Four courts have been constituted under this Act, two are functioning at Chennai and one each at Tirunelveli and Tiruchirappalli.

k) Special Courts to try Essential Commodities Act cases:

There are six Special Courts, one each in Chennai, Madurai, Coimbatore, Pudukkottai, Salem and Thanjavur with the Presiding Officers in the cadre of District and Sessions Judge to deal with cases under the Essential Commodities Act.

l) Additional Sessions Courts for the trial of Bomb Blast Cases, one each at Chennai and Coimbatore :

Two Additional Sessions Courts for the trial of Bomb Blast cases one each at Chennai and Coimbatore are functioning. The Special Court constituted for trial of Bomb Blast Cases at Chennai (now functioning at Poonamallee) is also trying cases arising out of the offences under the Prevention of Terrorism Act 2002 (Central Act 15 of 2002).

m) A Sessions Court at Madurai for the Trial of Communal Clash Cases in Southern Districts at Madurai:

A sessions Court at Madurai for the trial of Communal Clash Cases is functioning for this purpose.

n) Magalir Neethimandram (Mahila Courts):

Eight Magalir Neethimandram (Mahila Courts) are functioning in the State, one each at Chennai, Coimbatore, Madurai, Tiruchirappalli, Tirunelveli, Salem, Perambalur and Cuddalore for exclusive trial of cases of Crimes against Women. The Government have sanctioned the constitution of Maghalir Neethimandrams at Chengalpet and Pudukkottai in 2007 – 08.

o) Human Rights Courts:

The Protection of Human Rights Act, 1993 (Central Act 10 of 1994) enables the State Government to specify for each district, a Court of Sessions to be Human Rights Court for the purpose of providing speedy trial of cases arising out of violation of Human Rights, and also to appoint Special Public Prosecutors for the Human Rights Courts. In pursuance of the above provision, the Government with the concurrence of the High Court, have specified all the Principal District and Sessions Courts in the State and Principal Judge, City Civil Court Chennai as Human Rights Courts, which are functioning from 29.1.1996. Public Prosecutors of the District Courts have been specified as Special Public Prosecutors for conducting cases in the Human Rights Courts. On a direction given by the High Court, Madras, the Government have taken steps to appoint Special Public Prosecutors exclusively for conducting human Rights violation cases in Courts.

p) An Additional Sessions Court for trial of cases relating to Vellai Ravi and Chera is also functioning.

q) Fast Track Courts :

The 11th Finance Commission has allocated 49 Fast Track Courts in the State of Tamil Nadu on the basis of the pendency of Sessions cases as on 31.12.1998 to clear the heavy backlog of cases especially long pending sessions cases and other criminal cases in the Subordinate Courts in the State of Tamil Nadu. In the I Phase 30 Fast Track Courts were constituted in Aug 2001 and in the II Phase 19 Fast Track Courts were constituted in December 2001. The expenditure for these 49 Courts for the year 2008-2009 is estimated at Rs.6.80 Crores (Rupees Six Crores and eighty lakhs). The Fast Track Courts are directed to dispose of mainly sessions cases. Other category of cases are also transferred to Fast Track Courts for disposal. The High Court has directed the Fast Track Courts to give preference in the disposal of cases in the following order:

- (1) Sessions Cases,
- (2) Motor Accident cases and Land Acquisition cases.
- (3) Criminal Appeals,
- (4) Criminal Revision cases
- (5) Civil Suits (Value of which exceeds Rs.5 lakhs)
- (6) Civil Appeals and
- (7) Civil Miscellaneous Appeals and cases involving Senior Citizens.

The turn out work of the Fast Track Courts are being reviewed monthly by the Hon'ble Portfolio Judges for better performance. Further, the Government have issued

orders in September 2007 for constitution of 50 Courts at Magisterial Level and the steps are being taken for the constitution of these Courts.

r) The Administrator General and Official Trustee, Chennai

The Administrator General and Official Trustee, Chennai is an Officer in the cadre of a District Judge. He is assisted by the Deputy Administrator General and the Official Trustee in the cadre of Civil Judge (Junior Division). These two Officers are in-charge of Trust properties and of minors and estates of deceased persons. They are performing duties assigned to them in accordance with the provisions contained in the Administrator General and Official Trustees Act. The expenditure in respect of the Office of the Administrator General and Official Trustee for the year 2008-2009 is estimated at Rs.63.72 lakhs.

IX. Tamil Law Journal:

13. The estimate of expenditure relating to establishment in-charge of the publication of the bi-monthly Tamil Law Journal viz., "Theerpu Thirattu" (தீர்ப்பு திரட்டு) for the year 2008-2009 is Rs.32.37 lakhs. The bi-monthly Law Journal (Tamil) is made available to the Advocates and the member of the Public.

X. Judicial Academy :

14. The Judicial Academy has been constituted for the purpose of giving training to the Judicial Officers, such as, District Judges, Sub Judges, District Munsifs, Judicial Magistrates and the Staff of the Judiciary. The proposed expenditure for the year 2008-2009 is Rs.77.24 lakhs

XI. Decentralization of Subordinate Courts :

15. The Subordinate Courts in the Mofussil are decentralized so as to avoid overcrowding of Courts at one particular centre and also to give quick relief to the litigant public. At present, the Jurisdiction of Civil Courts in the Mofussil is fixed under the Tamil Nadu Civil Courts Act. Similarly, in Chennai City, the Jurisdiction of the City Civil Court is fixed under the Madras City Civil Court Act and the Court of Small Causes under the Presidency Small Causes Court Act. The Jurisdiction of the District Munsif Courts extends over one or more Taluks, and the Jurisdiction of Sub Courts extends over one or more Munsif Courts. The Jurisdiction of District and Sessions Court extends over more than one Revenue District in respect of Thiruvarur and Krishnagiri Districts. As far as Criminal Courts are concerned, the Jurisdiction is fixed under the Criminal Procedure Code. The Jurisdiction of Judicial Magistrate's Court extends over two or more Police Stations.

XII. Computerization :

a) Computerisation of High Court Madras

16. The Computerisation of High Court started with the establishment of a branch of National Informatics Centre (NIC) in the premises of the High Court. Initially 30 dumb terminals and 30 printers were made available which were, later increased to 60 Terminals and 30 Printers. They were put into use for issuing interim and final orders, both in civil and criminal cases, and also for preparing daily cause list. Subsequently these have been replaced by 3 Computers and 3 Printers and an Uninterruptible Power Supply / Source from out of funds sanctioned by the State Government.

17. Personal Computers with peripherals and internet facility have been provided in the home office of the Hon'ble Chief Justice and Hon'ble Judges of the High Court. This apart all the Hon'ble Judges have been provided with Laptop computers, CD romes

containing Supreme Court judgement (SCC – online – Full Text) have also been installed in the Home Office of the Hon'ble Chief Justice and the Hon'ble Judges' voice recognition software has also been installed in the home Offices.

18. The Personal Assistants to the Honourable Judges' Section was computerized by installing 63 Computers, 2 Servers and 60 Printers for feeding the Judgments and Orders. The same was inaugurated on 24.12.2001 by the Honourable Chief Justice, High Court, Madras. From 17.1.2002 onwards, all the judgments are being typed only in the Computers by the Personal Assistants to the Hon'ble Judges. All the Judgments pronounced by the then Honourable Judges from 17-1-2002 onwards are available in digitalised form.

19. The Daily Orders like Bail/Anticipatory Bail Orders and Interim Orders in civil matters are being issued through computers from February 2001 onwards on the same day. The order copies of the decrees in draftable cases are also being issued within a week's time.

20. Computerised information and tabulation centers are functioning both at Madras and in the Madras Bench at Madurai for the benefit of the Advocates and the litigant of the public.

b) Computerisation of High Court Bench at Madurai:

21. The work of the High Court Bench at Madurai has also fully been computerized with a sanction of Rs.68.99 lakhs in October 2006.

c) Assistance from Government of India for Computerisation:

22. (i) A sum of Rs.3.48 crores sanctioned in January 2006 by Government of India, Ministry of Communications and Information Technology was released to set up the digital display boards in the Principal Bench and Madurai Bench.
- (ii) For establishing Video Conference Facility between Madras High Court and High Court Bench at Madurai, a sum of Rs.12 lakhs have been earmarked from and out of the amount sanctioned for Computerization of High Court Bench at Madurai and Installation of the same is under process.
- (iii) The Ministry of Law, Justice and Company Affairs (Department of Justice), New Delhi, have sent a proposal formulated by the NIC, for the Computerization and networking of City Courts at Chennai for Rs.2.19 Crores. From out of the allocation supply of hardware to the Metropolitan Magistrate courts at Egmore, Saidapet, and George town have been completed and networked. Further, the City Courts are to be connected with Internet by way of ISDN facility.
- (iv) **Computerization of Subordinate Courts:** The Ministry of Law and Justice

Courts: The Ministry of Law and Justice has established a E- to devise and formulate an ambitious blue-print of interconnectivity between all the courts of the country from the top court to lower courts. Accordingly the e-Committee has formulated the project and taking steps to implement of the project. To begin with, on 9th July, 2007, His Excellency the President of India inaugurated the e-courts project by distributing Laptops to Judicial Officers in the Country and in the State of Tamil Nadu, Laptops were provided to 695 Judicial Officers.

23. Further, for implementation of the project, a High Level Committee consisting of 5 Honourable Judges of the High Court and Deputy Director General, NIC, Chennai and the Secretary, Public Works Department is constituted and District Level Committees have also been formed for site preparation for locating the Computer Server Room and Judicial Service Centre. The National Informatics Centre has assured that the process of purchase and supply of computers will begin after the site is made ready. Hence all the Principal District Judges have been requested to forward the estimates for site preparation work and their reply is awaited.

XIII. Introduction of Tamil Language in the Proceedings of the High Court.

24. This Government have already taken steps and sent a proposal to Government of India for introduction of Tamil Language in the Proceedings of the Honourable High Court. A resolution proposed by Hon'ble Chief Minister was passed unanimously in this regard in the Legislative Assembly on 6.12.2006. Honourable Chief Minister is continuing to take efforts to get favourable orders of the Government of India and to implement the policy decision to introduce Tamil in the proceedings of the Honourable High Court.

XIV. Centrally sponsored Scheme for infrastructure facilities for Courts.

25. This Government have already drawn and sent a perspective plan for construction of buildings and quarters under Centrally Sponsored Scheme relating to development of infrastructure facilities for the judiciary for five years at a cost of Rs.213 crores in 2006.

The Government of India have been sanctioning amounts every year under the Centrally Sponsored Scheme for the creation of infrastructures in the Courts. In this regard, an amount of Rs.2.45 crores in November 2006 was received. As a matching grant, Rs.2.51 Crores was sanctioned by this Government and orders issued for construction of Court Building and Judicial Officers' quarters. As an amount of Rs.2.48 Crores was received in December 2007 and orders have been issued for construction of Court buildings and quarters for judicial officers for the year 2007-2008. As a matching grant of State share, an amount of Rs.2.51 crores was released by this Government and orders have been issued for construction of combined court buildings and quarters for judicial officers at Alandur in Chengalpattu District, construction of post attached quarters for Judicial Magistrates at Palani at Dindigul District and construction of post attached quarters for Sub-Judge at Padmanabhapuram in Kanniyakumari District at a total cost of Rs.4.99 Crores.

This apart, towards the end of the financial year 2007-2008, the Government of India has released a further amount of Rs.6.76 crores under the above scheme for 2007-2008 and communicated to this State. The Government would be issuing orders for construction of buildings and quarters for judiciary with the State share as matching grant.

XV. Infrastructure Facilities for the Courts in Tamil Nadu

26. The Government have taken a policy decision in 2007 – 08 that Rs.300 Crores would be allocated for various infrastructural facilities for the Subordinate courts in the State over a period of 4 years and accordingly in 2007 – 08 alone, Rs.90.30 Crores have been sanctioned for the construction of buildings for courts and Rs.11.12 Crores for quarters for Presiding Officer. The details are in the Annexure IV.

27. This apart the Government have sanctioned the opening of 77 new courts in 2007 – 08. This is unprecedented in the recent past in the State. Details are available at - Annexure V. As stated in the Budget speech for 2008 – 09, the Government would be sanctioning infrastructure facilities to the tune of Rs.100 Crores in 2008 – 09.

XVI. Pendency of cases:

28. The pendency of cases in the various Courts across the state continues to increase and is a cause for serious concern. The details of pendency in the Madras High Court Bench at Madurai and in the Subordinate Courts is at Annexure VI & VII.

29. As a way to tackle the high pendency, the Government has accepted the proposal of the Hon'ble High Court and constituted 56 evening Courts in the State in 2007 – 2008. Of the 56 Courts sanctioned, 12 are functioning and have been able to dispose of 57322 petty cases in six months.

XVII. PART II SCHEMES FOR 2008 – 09

30. The following will be implemented in 2008 – 09 at the cost indicated as Part II schemes.

Sl. No.	Name of the Schemes	Rs. (in Lakhs)
1	Construction of quarters for Presiding Officer, Labour Court, Vellore and Judicial Magistrate – II and Judicial Magistrate – V at Sathuvachari, Vellore District.	75.63
2	Construction of Quarters for Sub Judge, Periyakulam Theni District.	19.58
	TOTAL	95.21

XVIII. TAMIL NADU STATE LEGAL SERVICES AUTHORITY

OBJECTIVES

31. The Legal Services Authorities Act 1987, (as amended by Act 59 of 1994) was enacted, to provide free and competent legal services to the weaker sections of the society, to ensure that opportunities for securing justice are not denied to any citizen by reason of economic or other disabilities, to organise Lok Adalats on a statutory basis as an Alternative Dispute Resolution Forum, to educate Scheduled Castes, Scheduled Tribes, Backward Classes and other poorer sections of the society on their rights and to enable them to get the benefits and privileges given to them in various Social Welfare Legislations and administrative orders.

Constitution:

32. In Tamil Nadu, the State Legal Services Authority and District Legal Services Authority constituted and they have been functioning in May 1997 and November 1997 respectively. The Tamil Nadu State Legal Aid & Advice Board had during its two decades of functioning evolved a variety of Legal Aid programmes, all of which were within the ambit of the new Authority. Therefore, the State Authority has decided that all the programmes of the erstwhile Legal Aid Board will continue to be implemented and revamped and all the procedures, regulations, guidelines and circular instructions issued by the erstwhile Board to the Committee for the observance in implementation of the Legal Aid Programmes will be followed by the New Authorities.

Services rendered

33. The Legal Services Authority renders assistance to various sections of the society through its counseling and mediation centers, centers for women, by organizing legal assistance to the accused persons in criminal cases as also to persons in judicial custody an even for convicted persons to safeguard their rights and to protect them from exploitation. The authority also assists the general public in getting assistance through various welfare schemes implemented by the Government.

34. The authority renders assistance to file claim petitions in motor accident cases to enable the families of the victims to get maximum benefits under Law. It also helps the family by advising them on investment of the compensation amounts.

35. Under the new legislation, Lok Adalats have acquired a statutory status. The every award of the Lok Adalat is deemed to be a decree of a civil court or as the case may be as an order of any other court. The Government have recently amended the Court Fee Stamps Act to refund the court fee paid in cases where compromise or settlement has been arrived at by the Lok Adalat. Permanent and continuous Lok Adalats are being organized by High Court Legal Services Committee on a day to day basis from October 2007. Legal Aid cum Legal Literacy Promotion Camps are also being organized to which authorities from the Revenue and Police Department are also invited. These camps are used to sensitize the rural people with reference to socio-economic welfare legislation of the State and the Central Government.

Legal Aid Counsel Scheme:

36. Under this scheme, counsels are deputed to all Magistrate Courts to give legal assistance to those who are produced for remand before Magistrates who do not have the means to engage a counsel. The scheme lays emphasis for legal aid to persons in custody for getting release on bail, assistance during trial and preferring appeals or revisions in case of adverse orders.

37. The Legal Services Authority has set up a Legal Aid Help Line also. Advocates are deputed on all working days to attend to the calls and to render assistance both in the morning and evening hours. This apart, litigants also attend the legal Aid Clinics in person to get professional help regarding their cases.

38. The State Legal Services Authority through its various programmes and interactions has been able to assist more than 10 lakh persons since its inception in December 2007. It has also been able to settle nearly 30,000 cases out of court including 11,238 cases of family disputes.

XIX. DIRECTORATE OF PROSECUTION:

39. The main aim of the Directorate of Prosecution is to have an effective control over the proper conduct of prosecution in the State and to monitor the functioning of the Law Officers and prosecuting staff attached to the Metropolitan Magistrate Courts, Judicial Magistrate Courts and Chief Judicial Magistrate Courts spread all over the State. The Directorate was first constituted in 1984 and subsequently revived in 1992. It is headed by an officer of the rank of Inspector General of Police.

Organisational set up:

40. At the Headquarters, the Director is assisted by a Joint Director of Prosecution who is responsible in the general administration of the department. In regions, 11 Deputy Directors of Prosecution and 14 Assistant Directors of Prosecution supervise the work of their respective districts. Apart from this, 25 Additional Public Prosecutors attached to the Chief Judicial Magistrate Courts and Assistant Public Prosecutors Grade I and Grade II attached to the various Magistrate Courts to attend to prosecution of cases before the respective courts.

Functioning of Prosecuting Officers:

41. Apart from supervising the work of the Assistant Public Prosecutors, the Deputy Directors and Assistant Directors of Prosecution also attend to the work of rendering legal opinion and drafting of charge sheets etc. The Additional Public Prosecutors look after the cases at Assistant Sessions Court, and conduct cases on behalf of prosecution. Some of the Assistant Public Prosecutors are on deputation in various Government departments like Vigilance and Anti-Corruption, Public Health and Preventive Medicine, CBCID etc. to render legal assistance to those departments.

Law Officers on tenure basis

42. The Government at present appoints law officers on tenure basis to attend to prosecution works in Sessions Courts, Additional Sessions Courts and all the courts dealing with civil matters. However, the Director of Prosecution is to supervise the work of all law officers on a periodical basis.

Computerisation

43. A sum of Rs.8.55 lakhs has been allotted by Government for computerisation of the Directorate. Efforts are being taken to interlink the Offices of the Regional Deputy Directors and Assistant Directors with the Headquarters for effective monitoring of the work of the prosecuting officers.

New Schemes:

44. The following schemes have been approved for inclusion in the Part-II Schemes for 2008-09 in respect of the Directorate of Prosecution:-

Sl. No.	Name of the Scheme	Rs. (in Lakhs)
1	Purchase of a new official car for use by the Director of Prosecution by replacement of the existing car at a cost of.	5.00
2	Purchase of 10 desktop Computers with accessories at a cost of.	3.50

3	Creating LAN by use of cables at a cost of	0.75
4	Purchase of one Laptop computer at a cost of	0.75
	TOTAL	10.00

XX. THE DEPARTMENT OF GOVERNMENT LITIGATIONS, HIGH COURT, CHENNAI

45. The Department of Government Litigations, High Court constituted as per Government Orders of October 1997, the Advocate General of Tamil Nadu as the Head of Department. The Additional Advocate General of Tamil Nadu I to V, the Public Prosecutor, Additional Public Prosecutor, the Government Pleader and Special Government Pleaders all function under the overall control of the Advocate General.

46. At present Department of Government Litigations, High Court, Chennai has 10 unit offices with more than 100 Law Officers and 200 Staff members. The Advocate General of Tamil Nadu, High Court, Chennai is also appearing before the High Court Bench at Madurai in all sensitive matters. Likewise the Public Prosecutor and the Government Pleader, High Court, Chennai are undertaking regular visits to their respective branches at Madurai so as to streamline the work and to enable the Law Officers to discharge their duties and responsibilities effectively.

47. The Government is taking all the necessary steps to provide adequate infrastructure facilities to the Offices of the Advocate General and other Law Officers to make their work more effective.

Part - II Schemes:

48. A sum of Rs.43.82 lakhs has been allocated in Part - II Schemes 2008 – 2009 towards purchase of furniture, laptops, xerox machines, Law Books etc. for the Directorate of Government Litigation.

XXI Conclusion:

This Government will continue to provide adequate infrastructure to the Courts with a view to enable litigant public to access and get speedy justice.

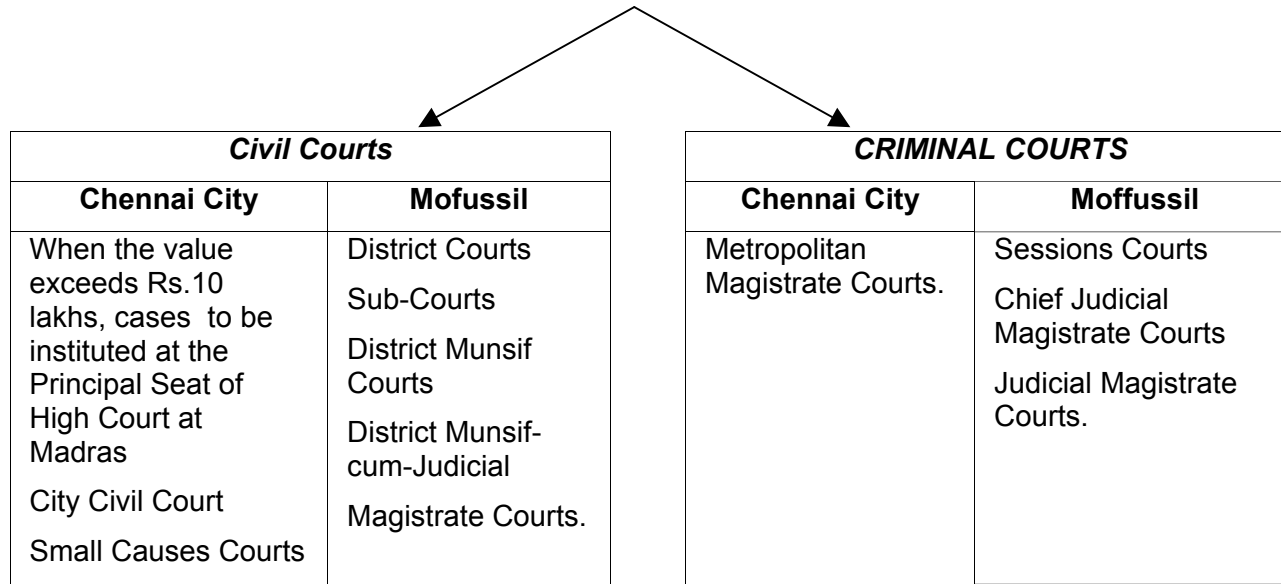
**DURAIMURUGAN
MINISTER FOR PUBLIC WORKS AND LAW**

ANNEXURE – I

(See para 2)

Organisational Hierarchy of the Judiciary in Tamil Nadu

**PRINCIPAL SEAT OF HIGH COURT AT MADRAS
MADURAI BENCH OF MADRAS HIGH COURT AT MADURAI.**



ANNEXURE – II

(See Para 4)

DETAILS SHOWING THE NUMBER OF COURTS / TRIBUNAL FUNCTIONING IN THE CITY OF CHENNAI

Sl. No.	Name of Courts / Tribunal	District Courts	Fast Track Courts	Civil Judge (Sr. Divn.)		Civil Judge (Jr. Divn /J.M.F.C.)
				C.M.M.	Others	
1	City Civil Court (Including CBI Cases/ Tada Court)	11	5		18	1
2	Court of Small Causes	1			8	8
3	Chief Metropolitan Magistrate Court	2		1	6	17
4	Labour Courts	3				
5	Industrial Tribunal	1				
6	Sales Tax Appellate Tribunal	1			1	
7	State Transport Appellate Tribunal	1				
8	Special Court under E.C. Act	1				
9	Administrator General and Official Trustee	1				
10	Deputy Administrator General and Official Trustee	-				1
11	Family Courts	3				
12	Mahalir Neethimandram	1				
13	Special Courts under Tamil Nadu Protection of Interests of Depositor (in Financial Establishments) Act 1997.	1				
14	Additional Special Court under N.D.P.S. Act	1				
15	Sessions Court for Trial of Bomb Blast Cases	1				
16	Additional Sessions Court for Trial of Cases relating to Vellai Ravi and Chera	1				
17	Corporation	1				
	Total	31	5	1	33	27
Total No of Courts - 97						

CONTINUATION OF ANNEXURE – II

DETAILS SHOWING NUMBER OF COURTS/TRIBUNALS FUNCTIONING IN THE DISTRICTS OF TAMIL NADU																		
S.No.	District	IN THE CADRE OF DISTRICT JUDGE										Civil Judge (Sr. Dn.)				Civil Judge (Jr. Dn.)		
		District Judges	PCR	Bomb Blast Cases	Communal Clashes Cases	Labour Courts	E.C. Act. Cases	CBI Cases	Family Courts	Magalir Needhi Mandram	Fast Track Courts	Chief Judicial Magistrate	Sub Courts	Special Courts - LAOP	Corporation and S.T.A.T.	District Munsif	Judicial Magistrate	District Munsif cum Judicial Magistrate
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
1	COIMBATORE	2		1		1	1	1	1	1	5	1	7		2	7	14	4
2	CUDDALORE	1				1				1	3	1	7			8	8	4
3	DHARMAPURI	1									1	1	1			2	3	3
4	DINDIGUL	1									1	1	3			5	5	3
5	ERODE	2									4	1	8			10	9	2
6	KANCHIPURAM	1								1	2	1	4			6	7	3
7	KANNIYAKUMARI	1										1	6			9	7	1
8	KARUR	1										1	2			3	4	
9	KRISHNAGIRI	2										1	3			1	2	4
10	MADURAI	2	1		1	1	1	1	1	1	3	1	6		2	5	10	1
11	NAGAPATTINAM	1										1	5			7	9	2
12	NAMAKKAL	1									1	1	3			4	4	1
13	NILGIRIS	1											1			1	1	3
	Total	17	1	1	1	3	2	2	2	4	20	12	56	0	4	68	83	31

CONTINUATION OF ANNEXURE – II

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	
	B/F	17	1	1	1	3	2	2	2	4	20	12	56	0	4	68	83	31	
14	PERAMBALUR	1								1	1	1	2	2		4	3		
15	PUDUKKOTTAI	1					1				1	1	1			3	3	2	
16	RAMANATHAPURAM	1									1	1	2			2	3	4	
17	SALEM	2				1	1		1	1	2	1	5		1	6	12	1	
18	SIVAGANGAI	1										1	2			4	3	4	
19	THANJAVUR	1	1				1				2	1	6			7	6	3	
20	THENI	1									1	1	2			3	3	2	
21	THOOTHUKUDI	1									2	1	2			6	6	2	
22	TIRUCHIRAPPALLI	1	1			1				1	2	1	4		1	7	9	1	
23	TIRUNELVELI	2	1			1				1	2	1	7		1	12	9	4	
24	TIRUVALLUR	1									3	1	3			6	7	3	
25	THIRUVANNAMALAI	1										1	4			7	5	3	
26	VELLORE	1				1					3	1	4			8	14	4	
27	VILLUPURAM	1									3	1	7			15	9	2	
28	VIRUDHUNAGAR	1									1	1	4			3	6	3	
	Total	34	4	1	1	7	5	2	3	8	44	27	111	2	7	161	181	69	
In the Cadre of District Judge - 65					Civil Judge (Sr.Dn.) - 146					Fast Track Court - 44		Civil Judge (Jr.Dn.) - 410							
TOTAL NUMBER OF COURTS - 665																			

ANNEXURE – III

(See Para VIII (a))

COURTS FOR TRIAL OF CASES REGISTERED UNDER SCHEDULED CASTES AND SCHEDULED TRIBES (PREVENTION OF ATROCITIES) ACT, 1989 AND PROTECTION OF CIVIL RIGHTS ACT.

Sl. No.	Name of the Court	Jurisdiction of Court
1	IV Additional Sessions Court, Madurai	(i) Madurai (ii) Dindigul (iii) Theni (iv) Ramanathapuram (v) Sivagangai (vi) Virudhunagar
2	II Additional Sessions Court, Thanjavur.	(i) Thanjavur (ii) Nagapattinam (iii) Thiruvarur
3	III Additional Sessions Court, Tirunelveli.	(i) Tirunelveli (ii) Thoothukudi (iii) Kanniyakumari.
4	II Additional Sessions Court, Tiruchirappalli.	(i) Tiruchirappalli (ii) Pudukottai

ANNEXURE IV

(See Para 24)

CONSTRUCTION OF COMBINED COURT BUILDING AND QUARTERS FOR JUDICIAL OFFICERS SANCTIONED IN - 2007 – 2008

Sl. No.	Name of the Place	Name of the District	Amount Sanctioned (Rs. in Lakhs)		
			Court Buildings	Quarters	Total
1.	Cuddalore	Cuddalore	903.00	99.00	1002.00
2.	Karur	Karur	900.00	100.00	1000.00
3.	Namakkal	Namakkal	900.00	156.00	1056.00
4.	Aranthangi	Pudukottai	330.00	23.00	353.00
5.	Paramakudi	Ramanathapuram	213.00	27.00	340.00
6.	Sivagangai	Sivagangai	770.00	27.50	797.50
7.	Thoothukudi	Thoothukudi	765.00	123.00	888.00
8.	Poonamallee	Thiruvallur	373.00	29.00	402.00
9.	Arani	Thiruvannamalai	346.00	51.00	397.00
10.	Gudiyatham	Vellore	440.00	---	440.00
11.	Aruppukottai	Virudhunagar	314.00	69.00	383.00
12.	Kumbakonam	Thanjavur	756.00	241.00	997.00
13.	Erode	Erode	376.00	167.00	542.00
14.	Egmore	Chennai	1510.00	---	1510.00
15.	Harur	Dharmapuri	135.00	--	135.00
		GRAND TOTAL	9030.00	1112.50	10142.50

ANNEXURE – V

(See Para – 25)

DETAILS OF NEW COURTS SANCTIONED IN 2007 – 2008.

S.No.	Name of New Courts
I	District Munsif-cum Judicial Magistrate
	1. Vadipatti
	2. Uthukottai
	3. Pappireddypatti
	4. Vedarannium
	5. Sripermpudur
II	Sub Courts
	1. Neyveli
	2. Rasipuram
	3. Thiruchengodu
	4. Perambalur
III	CBI Courts
	1. Chennai
IV	Mahila Court
	1. Chengalpattu
	2. Pudukottai
V	District & Sessions Court
	1. Thiruvarur
	2. Dharmapuri.

S.No.	Name of New Courts
VI	Chief Judicial Magistrate Court
	1. Thiruvarur
	2. Dharmapuri Shifting of CJM-II from Krishnagiri
VII	Special Courts
	1. TNPID Act Cases – Madurai
	2. TNPID Act Cases – Coimbatore.
	3. Forest offences Cases – Nagercoil
	4. LAOP Cases – 2 courts at Jayamkondam
VIII	Labour Court
	1. Vellore
	2.Chennai
IX	Add. District Munsif Court.
	1.Poonamallee
	2.Gudalur
	3.Vaniyambadi
X	District Munsif Court
	1. Oddanchatram by shifting I Addl. District Munisf at Dindigul.
XI	In the cadre of Judicial Magistrate
	1. 50 Courts

ANNEXURE - VI

(See para – 26)

**STATEMENT SHOWING INSTITUTION, DISPOSAL AND PENDENCY OF CIVIL & CRIMINAL CASE
OF HIGH COURT OF MADRAS**

PRINCIPAL SEAT OF MADRAS HIGH COURT, MADRAS.

Year	Civil Cases				Criminal Cases				
	Opening Balance as on 1 st January	No. of New Cases filed	Disposal	Pendency as on 31 st December	Opening Balance as on 1 st January	No. of New Cases filed	Disposal	Pendency as on 31 st December	Total Pendency of Civil & Crl. Cases
2001	313428	116673	115539	314562	36679	42225	45646	33258	347820
2002	314562	170337	151323	333576	33258	53213	51738	34733	368309
2003	333576	147158	256629	224105	34733	64615	84140	15208	239313
2004	224105	148300	122460	249945	15208	58272	55559	17921	267866
2005	249945	142339	103359	288925	17921	49535	45956	21500	310425
2006	288925	165130	137959	316096	21500	47652	42738	26414	342510
2007	316096	133594	113606	336084	26414	56272	53274	29412	365496

ANNEXURE – VI

(See para 26)

MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

Year	Civil Cases				Criminal Cases				
	Opening Balance as on 1 st January	No. of New Cases filed	Disposal	Pendency as on 31 st December	Opening Balance as on 1 st January	No. of New Cases filed	Disposal	Pendency as on 31 st December	Total Pendency of Civil & Crl. Cases
2004	16337 (as on 24.7.2004)	16122	6674	25785	2987 (as on 24.7.2004)	10719	8598	5108	30893
2005	25785	44092	24419	45458	5108	20678	18118	7668	53126
2006	45458	46848	35429	56877	7668	15554	15651	7571	64448
2007	56877	48693	48830	56740	7571	15866	16841	6596	63336

ANNEXURE - VII

(See para – 26)

STATEMENT SHOWING INSTITUTION, DISPOSAL AND PENDENCY OF CIVIL & CRIMINAL CASES IN SUBORDINATE COURTS

Year	Civil Cases				Criminal Cases				
	Opening Balance as on 1 st January	No. of New Cases filed	Disposal	Pendency as on 31 st December	Opening Balance as on 1 st January	No. of New Cases filed	Disposal	Pendency as on 31 st December	Total Pendency of Civil & Crl. Cases
2001	668041	459756	597797	530000	303669	717126	723910	296885	826885
2002	530000	655701	665954	519747	296885	1128430	1158327	266988	786735
2003	519747	567849	637239	450357	266988	826303	757255	336036	786393
2004	450357	763882	830555	383684	336036	930621	914734	351923	735607
2005	383684	877678	837174	424188	351923	946483	866546	431860	856048
2006	424188	819020	799552	443656	431860	790174	808881	413153	856809
2007	443656	788435	733073	499018	413153	846835	830960	429028	928046