

R.O.C.NO.1363/2020/RG/Sub.Courts

MOST URGENT



OFFICIAL MEMORANDUM

Sub: Courts & Judges – Spread of Corona Virus Pandemic –
Functioning of Subordinate Courts in the State of
Tamil Nadu from 01-06-2020 – Directions issued.

- Ref: 1. High Court's Official Memorandum in Roc.No.88001-
A/2019/C3, dt.12.12.2019.
2. High Court's Official Memorandum in Roc.No.88001-
A/2019/C3, dt.13.12.2019
3. High Court's Official Memorandum in Roc.No.23991-
C/2020/C3, dated 18.04.2020 (For T.N & Puducherry)
4. High Court's Official Memorandum in Roc.No.23991-C
/2020/C3, dated 01.05.2020

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On an assessment of the various suggestions received from the Madras Bar Association, Tamil Nadu Senior Advocates Forum, open letter of the Bar Council of India dated 26.5.2020 and suggestions received from the Principal District Judges and other sources, and the existing situation prevailing in the State of Tamil Nadu, the Hon'ble Administrative Committee of the Madras High Court allowed only staggered opening of the Subordinate Courts in the State of Tamil Nadu and Union Territory of Puducherry and issues following directions:

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- i) All the Presiding Officers are allowed to enter the court premises in all the Districts and to **continue their work through video conferencing** as is being continued for the time being with 15 – 20 cases approximately per court per day and subject to further assessment by the Principal District Judges about the capacity of such functioning and to either increase or decrease the number of cases for hearing accordingly.
- ii) The staff strength should be allowed to continue as is being presently retained, on rotation basis and as per shifts fixed by the Principal District Judges.
- iii) Lawyers above the age of 65 years may abstain from coming to court and instead avail the facility of video conferencing hearings.
- iv) The Bar Associations, Advocates Chambers, Library and Canteen shall continue to remain closed in all the Districts.
- v) The entertainment and hearing of all matters that was continuing from before through video conferencing in all the Districts shall continue and its further continuance shall be assessed upon the inputs received within a period of two weeks.
- vi) As an additional measure, it is also directed that appeal cases, where neither the presence of the litigants or otherwise any other assistance is required, except that of the lawyers, may be heard through video conferencing, subject to the availability

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of the facility and the time period available to the respective courts. This shall however be done only through video conferencing and not by any physical court-hearings.

vii) Keeping in view the number of practicing lawyers being around 75 – 150, the District Head Quarters of the following Districts only could be permitted with limited and restricted physical court hearings, and not allowing any physical presence, except those lawyers as permitted by the court concerned, which shall be not more than five lawyers including the State Counsel at a time in a court-hall and at the same time maintaining social distancing and such other prescriptions that are to be strictly followed pertaining to the threat of spread of Corona Virus.

viii) Only the following nine District Head Quarters Courts are permitted as an initial measure (to assess any future opening or reopening of courts) for physical court-hearings, viz. (1) Dharmapuri, (2) The Nilgiris, (3) Krishnagiri, (4) Tiruvarur, (5) Theni, (6) Ramanathapuram, (7) Nagapattinam, (8) Karur and (9) Sivagangai.

ix) Physical open court-hearing of cases in a limited and restricted manner with the strict observance of only the presence of maximum of five lawyers including State Counsel at a time at the District Head Quarters of the above nine Districts may be introduced by the Principal District Judges concerned.

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- x) No other litigant or any other person shall be permitted to enter the court premises, except such lawyers whose cases are listed for hearing in the respective courts and who shall enter only within the allotted time slot so as to avoid any crowding at any particular time.
- xi) It is made clear that no litigant or any other person would be allowed for any activity inside the court premises.
- xii) All health and hygiene precautionary measures for checking of persons entering the court-halls shall be ensured by the Principal District Judges in cooperation with the Local Administration and to take immediate steps in the event any suspected case is discovered during functioning of the courts.
- xiii) In the event of any such occurrence, the matter shall be immediately reported to the High Court for appropriate instructions.
- xiv) Lawyers shall not assemble together at any place inside the court premises so as to violate the social distancing norms nor shall they enter the offices or crowd over the court premises so as to cause any health and hygiene threat.
- xv) The aforesaid decisions taken shall be reviewed after two weeks of functioning and shall be also subject to any lockdown measure that may be announced by the Government in future.

HIGH COURT, MADRAS
DATED: 30-05-2020.

SD/- C.KUMARAPPAN
REGISTRAR GENERAL

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To

01. All the Hon'ble Judges (for information).
02. All the Registrars, High Court, Madras and Madurai Bench.
03. The Additional Registrar General, Madurai Bench of Madras High Court, Madurai

04. All the Principal District Judges/District Judges |
05. The Principal Judge, City Civil Court, Chennai | [with a direction to
06. The Chief Judge, Court of Small Causes, Chennai | communicate to all Officers
07. The Chief Metropolitan Magistrate, Egmore, Chennai | and staff members functioning
08. All the Chief Judicial Magistrates. | in their respective District/
09. The Administrator General and Official Trustee, Chennai | Unit]
10. The Chief Judge, Puducherry. |
11. The Chief Judicial Magistrate, Puducherry. |
12. The Member Secretary, Pondicherry Legal Services Authority, Pondicherry
13. The Record Keeper, A.D. Records, High Court, Madras.

Copy to :

1. The Chairman, Federation of District and Subordinate Courts Bar Associations of Tamil Nadu and Pondicherry, No.1-A6, Trichy Main Road, Namakkal 637 001.
2. The Editors, The Hindu, Indian Express, Dinathanthi, Dinamani, Dinakaran, Dinamalar, Malaimurasu, Madras Times and UNI Madras.
3. The Press Trust of India, United India Colony, Kodambakkam, Chennai-24.
4. The Press Reporters, High Court, Madras.
5. The Director, All India Radio, Chennai-4 (News Division).

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