



CIRCULAR

Sub: Courts and Judges – complaints – allegation of attending political party meetings and accepting gifts from them – noticed – directions issued to the Judicial Officers to follow the guidelines given in "Bangalore Principles of Judicial Conduct" (Particularly, Value: 4 dealing with Propriety) – instructions issued.

It is noticed that certain Judicial Officers, that too, the newly recruited Civil Judges attend felicitation functions organised by political parties/religious organisations unmindful of the ramifications. While considering the matter, it was directed that, the Judicial Officers must be careful in accepting invitation for public functions and that all Judicial Officers must follow the guidelines given in "Bangalore Principles of Judicial Conduct" (Particularly, Value 4: dealing with Propriety), which states the following:

"Principle

Propriety, and the appearance of propriety, are essential to the performance of all of the activities of a judge.

Application

4.1. *A judge shall avoid impropriety and the appearance of impropriety in all of the judge's activities.*

4.2. *As a subject of constant public scrutiny, a judge must accept personal restrictions that might be viewed as burdensome by the ordinary citizen and should do so freely and willingly. In particular, a judge shall conduct himself or herself in a way that is consistent with the dignity of the judicial office.*

4.3. *A judge shall, in his or her personal relations with individual members of the legal profession who practise regularly in the judge's court, avoid situations that might reasonably give rise to the suspicion or appearance of favouritism or partiality.*

4.4. *A judge shall not participate in the determination of a case in which any member of the judge's family represents a litigant or is associated in any manner with the case.*

4.5. A judge shall not allow the use of the judge's residence by a member of the legal profession to receive clients or other members of the legal profession.

4.6. A judge, like any other citizen, is entitled to freedom of expression, belief, association and assembly, but, in exercising such rights, a judge shall always conduct himself or herself in such a manner as to preserve the dignity of the judicial office and the impartiality and independence of the judiciary.

4.7. A judge shall inform himself or herself about the judge's personal and fiduciary financial interests and shall make reasonable efforts to be informed about the financial interests of members of the judge's family.

4.8. A judge shall not allow the judge's family, social or other relationships improperly to influence the judge's judicial conduct and judgement as a judge.

4.9. A judge shall not use or lend the prestige of the judicial office to advance the private interests of the judge, a member of the judge's family or of anyone else, nor shall a judge convey or permit others to convey the impression that anyone is in a special position improperly to influence the judge in the performance of judicial duties.

4.10. Confidential information acquired by a judge in the judge's judicial capacity shall not be used or disclosed by the judge for any other purpose not related to the judge's judicial duties.

4.11. Subject to the proper performance of judicial duties, a judge may:

(a) Write, lecture, teach and participate in activities concerning the law, the legal system, the administration of justice or related matters;

(b) Appear at a public hearing before an official body concerned with matters relating to the law, the legal system, the administration of justice or related matters;

(c) Serve as a member of an official body, or other government commission, committee or advisory body, if such membership is not inconsistent with the perceived impartiality and political neutrality of a judge; or

(d) Engage in other activities if such activities do not detract from the dignity of the judicial office or otherwise interfere with the performance of judicial duties.

4.12. A judge shall not practise law while the holder of judicial office.

4.13. A judge may form or join associations of judges or participate in other organizations representing the interests of judges.

4.14. A judge and members of the judge's family shall neither ask for, nor accept, any gift, bequest, loan or favour in relation to anything done or to be done or omitted to be done by the judge in connection with the performance of judicial duties.

4.15. A judge shall not knowingly permit court staff or others subject to the judge's influence, direction or authority to ask for, or accept, any gift, bequest, loan or favour in relation to anything done or to be done or omitted to be done in connection with his or her duties or functions.

4.16. Subject to law and to any legal requirements of public disclosure, a judge may receive a token gift, award or benefit as appropriate to the occasion on which it is made provided that such gift, award or benefit might not reasonably be perceived as intended to influence the judge in the performance of judicial duties or otherwise give rise to an appearance of partiality."

As directed, the Principal District Judges/District Judges/Chief Judicial Magistrates, Principal Judge, City Civil Court, Chennai, Chief Judge, Court of Small Causes, Chennai, Chief Judge, Puducherry, District Judge-cum-Chief Judicial Magistrate, The Nilgiris @ Uthagamandalam, Chief Metropolitan Magistrate, Egmore, Chennai and Presiding officers of all Special Courts, Labour Courts, Industrial Tribunals and Family Courts are required to bring this circular to the notice of the Judicial Officers functioning in their respective units, for effective compliance of the instructions. Any deviation from the above will be viewed seriously.

High Court, Madras.

Dated: 12.10.2021.


Registrar General

To

1. All the Principal District Judges/District Judges/District Judge-cum-Chief Judicial Magistrate, The Nilgiris @ Uthagamandalam.
2. The Principal Judge, City Civil Court, Chennai.
3. The Chief Judge, Court of Small Causes, Chennai.
4. All the Chief Judicial Magistrates.
5. The Chief Metropolitan Magistrate, Egmore, Chennai.
6. The Chief Judge, Puducherry.

7. The Director / Additional Director, TNSJA, Chennai.
8. The Presiding Officer, Industrial Tribunal, Chennai -104.
9. The Administrator General and Official Trustee, High Court, Chennai-104.
10. The Presiding Officers, Principal Labour Court / I Additional Labour Court / II Additional Labour Court / III Additional Labour Court, Madras-104.
11. The Presiding Officers, Special Court under E.C. Act / I and II NDPS Act, Madras.
12. The Additional Chief Metropolitan Magistrate (E.O.I), Egmore, Chennai.
13. The Additional Chief Metropolitan Magistrate (E.O.II), Egmore, Chennai.
14. The Presiding Officer, Labour Court, Cuddalore / Madurai / Salem / Tiruchirappalli / Tirunelveli / Vellore / Kancheepuram / Krishnagiri @ Hosur / The Nilgiris @ Uthagamandalam / Thanjavur @ Kumbakonam.
15. The Additional District Judges and Presiding Officer, Special Court under E.C. Act, Madurai / Pudukottai / Thanjavur / Salem / Coimbatore / Chennai.
16. The VIII Additional Judge / IX Additional Judge / XI Additional Judge / XII Additional Judge / XIII Additional Judge / XIV Additional Judge, CBI Cases, Chennai.
17. The II Additional Judge (CBI Cases), Madurai / Coimbatore.
18. The Presiding Officer, Sessions Court for Trial of Bomb Blast Cases, Chennai, at Poonamallee.
19. The Sessions Judge, Sessions Court for Trial of Bomb Blast Cases, Coimbatore.
20. The Sessions Judge, Sessions Court for trial of cases relating to Communal Clashes, Madurai.
21. The Principal Judge, Family Court / I / II / III / IV / V / VI / VII Additional Judge, Family Court, Chennai-104.
22. The Principal Judge, Family Court / Additional Principal Judge, Family Court, Coimbatore.
23. The Judge, All the Family Courts (Except the Districts of Chennai and Coimbatore)
24. The Special Judge, Special Court under T.N.P.I.D. Act, Chennai / Madurai / Coimbatore.
25. The Sessions Judge, Special Court for Exclusive trial cases registered under SC/ST (POA) Act, Sivagangai / Villupuram.
26. The Chairman, Sales Tax Appellate Tribunal, Chennai-104
27. The Chairman, State Transport Appellate Tribunal, Chennai-104.
28. The Chairman, Tamil Nadu Waqf Tribunal, Chennai.
29. The Member Secretary, Tamil Nadu State Legal Services Authority, Chennai / Pondicherry Legal Services Authority, Pondicherry.
30. The Chairman, Taxation Appeals Tribunal, Corporation of Chennai, Chennai.
31. The Presiding Officer, Principal Labour Court, Coimbatore / Vellore.
32. The Presiding Officer, Additional Labour Court, Coimbatore / Vellore.

33. The III Additional District Judge (PCR), Madurai / II Additional District Judge (PCR), Tirunelveli.
34. The I Additional District Judge (PCR), Thanjavur / Tiruchirappalli.
35. All the Registrars, High Court of Madras and Madurai Bench of Madras High Court, Madurai. **(in the cadre of District Judges)**.

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The Record Keeper, A.D. Records, High Court, Madras. (10 copies)