

## **M.R. Khapali Vs The Principal Secretary, Union Ministry for Law and Justice and Others**

**Court:** Madras High Court

**Date of Decision:** Dec. 16, 2013

**Citation:** (2014) 1 LW 945

**Hon'ble Judges:** Rajesh Kumar Agrawal, C.J; K. Ravichandrababu, J

**Bench:** Division Bench

### **Judgement**

@JUDGMENTTAG-ORDER

Rajesh Kumar Agrawal, C.J. and K. Ravichandrababu, J.

This writ petition is filed as a Public Interest Litigation. The petitioner is a

practising Advocate of this Court. He is seeking for a direction to the respondents 1 to 3 herein to provide infrastructure like diesel generators,

solar panels, diesel for existing gensets, photo copies and fill up the staff requirements to all the Subordinate Courts, after receiving a detailed

infrastructure details from the courts with the assistance of the Bar Association. It is contended by the petitioner that the Subordinate Courts are

functioning in a cramped space without back up power supply. There is no provision for well equipped Judge's library and no separate staff room

with waiting halls for the litigants are available. He has cited the District Munsif Court at Thiruvallur as instance. He complains that the copier

machine is not properly functioning in the Subordinate Courts. He further states that the Central Government has been implementing centrally

sponsored scheme for the development of infrastructural facilities for the judiciary by way of matching grant from the year 1993-1994 onwards.

Thus, he filed the above writ petition praying for infrastructural facilities in the Subordinate Courts in the State of Tamilnadu.

2. The second respondent filed a counter affidavit wherein the details of Courts which are functioning in the rented buildings are given in Annexure-

I. The details of the courts with buildings where the infrastructure is insufficient and repairs are needed are given in Annexure-II. The list of Courts

where Gensets, Xerox machines and staffs are in need are given in Annexure-III.

3. A perusal of those Annexures filed along with the counter affidavit would show that no proposal is pending with the Government in respect of

the most of the Courts where certain infrastructure and repairs are required. Same is the position in respect of requirement of gensets, xerox

machines and staff, etc.

4. Thus we are of the view that before taking any judicial decision, it is better that the matter be placed before the Administrative side of this Court,

viz., the Building Committee for Subordinate Courts and to seek its view and report on the present issue. Since the Building Committee of this

Court constituted for the Subordinate Courts is to play a role in respect of the issue involved in this writ petition, we would like to get the report

from the said Committee so that a just and proper judicial decision could be taken in this matter. Accordingly, the Registry is directed to place the

copy of the relevant pleadings in this writ petition before the Building Committee for the Subordinate Courts and get a report from the said

Committee preferably within a period of six weeks from today. Post this writ petition after obtaining the report from the Building Committee.