

**GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE**

LOK SABHA

UNSTARRED QUESTION NO. 4916

TO BE ANSWERED ON FRIDAY, THE 31.03.2023

Vacant post of Chief Justice in Madras High Court

4916. SHRI A.K.P. CHINRAJ:

SHRI T.R. BAALU:

Will the Minister of **LAW AND JUSTICE** be pleased to state:

- (a) whether the post of Chief Justice of Madras High Court is lying vacant for more than five months and if so, the details thereof and the reasons therefor;
- (b) whether the appointment of the Chief Justice of Madras High Court has been recommended by the SC Collegium and if so, the details thereof;
- (c) whether the said proposal has been returned to the Supreme Court collegium for reconsideration and if so, the details thereof and the reasons therefor;
- (d) the details of the Supreme Court collegium recommendations on transfer of Madras High Court Judges pending with the Government; and
- (e) whether any concern was raised by the advocates forum of the said court on transfer of judges from Madras High Court to Meghalaya High Court and if so, the details thereof and the response of the Government thereto?

ANSWER

MINISTER OF LAW AND JUSTICE

(SHRI KIREN RIJJU)

(a) to (e):The senior most puisne Judge of the Madras High Court is performing the duties of Chief Justice of Madras High Court since the retirement of the then Chief Justice on 12.09.2022.

As per Memorandum of Procedure (MoP), initiation of proposal for appointment of Chief Justice of the High Courts vests with the Chief Justice of India. Filling up of vacancies of judges/Chief Justices in High Courts is a continuous, consultative and integrated process between the Executive and the Judiciary, as it requires consultation and approval from various

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Constitutional Authorities. There is a proposal of transfer of Chief Justice of Orissa High Court as Chief Justice of the Madras High Court which is under consideration of the Government.

Two proposals for transfer of Judges of Madras High Court to other High Courts, recommended by Supreme Court Collegium, are at various stages of consideration. Some Senior Advocates and lawyers bodies of Madras High Court protested on the transfer of the then Chief Justice, Madras High Court as Chief Justice of Meghalaya High Court which was notified on 15th November, 2021.
