

of Legislatures that impels judicial activism and provides its motivation and legitimacy. When gross violations of human rights are brought to its notice, the Judiciary cannot procrastinate, it must respond.”

LEGISLATURE OR EXECUTIVE OR JUDICIARY OR MEDIA IS NOT THE TARGET OR END OF LAW; BUT LAW SHOULD BE THE GOAL OR END OF

THE LEGISLATURE OR EXECUTIVE OR JUDICIARY.

NONE OF THESE INSTITUTIONS SHOULD ‘TARGET’ THE LAW.

“HE WHO IS SLOW TO ANGER IS BETTER THAN THE MIGHTY AND HE THAT RULES HIS SPIRIT TAKES A CITY.”

THE CENTURIES OF THE VENERABLE NARASAPUR BAR — A TRIBUTE

On the occasion of the Inauguration of the Court Building Complex on 31-3-2007

By

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Hon’ble the Chief Justice Sri. *G.S. Singhvi* and Hon’ble Justice Sri *D.S.R. Varma*, Hon’ble Justice Sri. *Eshwaraiah*, Hon’ble Justice Sri *V.V.S. Rao*, Hon’ble Justice Sri *C.Y. Somayajulu*, Hon’ble Justice Sri *Bhavani Prasad*, Hon’ble Justice Sri *D. Appa Rao* and Hon’ble Justice Sri. *Nooti Rama Mohana Rao*

1. The Godavari Districts are the eldorados of the State of Andhra Pradesh. This littoral, Cosy Town of Narsapur, is blessed by the august presence of the eminent personalities of your Lordships. Narsapur, sprawled near the banks of the Vasista Godavari, in the southernmost part of West Godavari District is the place that has seen the glorious past of the judicial institutions set up by the French, the British and now it is witnessing today one more epoch-making event of opening the Court Complex to accommodate not only the Courts of Magistrate, Junior Civil Judge, Senior Civil Judge and no less a Fast Track Court, presided over by the Judicial Officer of the cadre of a District Judge, to function under the Indian Jurisprudential System. It is pertinent

to make a reference here, in this connection, that Narsapur, prior to the advent of the French and the British, witnessed the presence of the Dutch, who left their legacy on the soil of Narsapur, in the form of the everlasting building situate in the YN College Campus, which is a cynosure and an eye-opener to the present architects and contractors whose structures are not even seeing ten decades. Narsapur is the sacred place, near which, the vibrant River Godavari, completes its divine mission and confluences with the mighty Bay of Bengal, at a visible place called Antarvedi.

Similar French and British Structures are still found, at Machilipatnam towards the West of Narsapur if we go by the sea and at Rajahmundry, situate on the north-east of the River Godavari. My humble attempt here is, to highlight that Narsapur and its surrounding parts are the witnesses of the global judicial traditions, inasmuch as the typical judicial institutions of the French and the British, laid the foundation of modern way of administering justice long ago, in this area,

leaving their legacy to the independent Indian Judiciary. In addition to this, Narsapur is a deep seat of learning and fine arts. Goddess of Justice and Goddess Saraswathi have made Narsapur their abode.

2. The period between Saturday the 11th and Sunday the 12th of July, 1998, was the red letter day for Narsapur because it is during these two days that Narsapur Judiciary celebrated the Centenary and the Platinum Jubilee of the Court of Junior Civil Judge and the Court of Senior Civil Judge respectively. The Narsapur Bar Association came to be formed in the year 1898. Rules for the guidance of the Narsapur Bar Association, were drafted as far back as on 17-7-1898, with their equalent Telugu translations. Thus Narsapur Bar is the forerunner and foremost in many respects. It has so far produced legal luminaries, several veterans and distinguished and multifaceted personalities.

3. The Narsapur Judiciary has so far produced a galaxy of intellectual Advocates and eminent Judges. Sri C.Y. Somayajulu, the grandfather of the present sitting Judge of Hon'ble High Court of A.P. Sri C.Y. Somayajulu, Sri Grandi Venkata Reddy Naidu the grandfather of the present sitting Judge of our High Court. Sri G. Bhavani Prasad, Sri Yerramilli Narayana Murthy, the founder of Y.N. College, our alma mater, Sri Nidumolu Siva Rao, father of eminent Advocates Nidumolu Ramachandra Rao and many other prominent advocates shaped, the destiny of the Judiciary at Narsapur, and brought its glory to its pinnacles. From the portals of these great judicial institutions of Narsapur, emerged, Justice M. Ramachander Raju, Judge Supreme Court of India, Sri Justice Iyyapu Pandu Ranga Rao, Judge High Court of Andhra Pradesh, Justice D.S.R. Varma, Justice C.Y. Somayajulu, Justice G. Bhavani Prasad the sitting Judges of High Court of Andhra Pradesh. Justice D. Appa Rao had his first innings as a Judge at Narsapur. Several eminent lower-rung judicial

officers were contributed by the Narsapur Bar and we still do remember the glorious contribution of the eminent and outspoken District Judge Dr. C. Jacob, whose noble ideals are worthy of emulation by all judicial officers. Now Narsapur also has a representation in the Bar Council of the State of Andhra Pradesh, as one of its sons Sri K. Chidambaram is now a sitting member of the Bar Council of A.P., who is diligently catering to the needs of the advocates of this area. Narsapur contributed a good number of advocates to the Bar of the High Court of Andhra Pradesh such as Sri Yamarthi Chandrasekhar, present Government Pleader attached to the office of the Advocate-General, Pulaparthi Raja Gopala Rao, Sri K. Chidambaram, to speak a few, and this humble self proudly proclaims that he hails from this area. Narsapur also produced eminent clients and it is needless to emphasize that unless the clients *i.e.*, the litigants exist there is no existence of Judiciary. To pronounce a historic judgment, there must pre-exist a *bona fide* client, with a strong will to pursue his cause, accustoming himself to the trials and tribulations he may encounter en-route his ultimate path of justice. One such great client of this Narsapur Town is Sri Kuturi Sitarama Das popularly known as K.S.R. Das, who got the law declared by the Hon'ble High Court of Andhra Pradesh to the effect that, in times of need High Court can exercise its writ jurisdiction, by granting police aid for enforcement of a civil decree, to aid the lower Courts, when they fail to execute their decrees, on account of trickster judgment-debtors. This historic and path breaking judgment, a rare judicial monument was pronounced by Justice B. Sudarshan Reddy, as he then was, now one of the present Judges of the Supreme Court of India, reported in *K. Seetharama Dass v. Sikele Moses and others*, 1999 (3) ALD 10 = 1999 (2) ALT 567. One judicial conscious client of this Narsapur Town, by name Pothineedi Lakshmana Rao carried one matter, from Narsapur to High Court by way of a civil

revision petition getting the law declared that when there are effective alternative mode of satisfying the decrees, arresting the judgment-debtors are not warranted *Pothureddi Laxmana Rao v. Kadasu Muneswara Rao*, 2005 (4) ALD 833 = 2005 (4) ALT 444. Another zealous client of this area carried a crucial matter to the Apex Court and got the law declared that the sniffer dog evidence is not evidence, which is reported as *Gade Lakshmi Manga Raju v. State of A.P.*, reported in 2001 (2) ALD (CrL) 229 (SC) = (2001) 6 SCC 205. Thus Narsapur produced eminent litigants, but for whom, there would not be landmark judgments, because one litigant or other has to ultimately carry the matter to the Apex Court, to get an authoritative pronouncement laid down by thrashing out the law. Narsapur has such adventures and studious litigants. They don't mind parting with a little bit of their affluence, for opulence of justice. It is high time that a more respectful word was coined to replace the word litigant.

4. It is on account of these outstanding personalities and their salutary contributions for the cause of justice, there is no trace of any rowdy elements and the settlement gangs

in this area. The litigation atmosphere in this area is 99.9%, very cool and amicable. The reason is centuries of judicial institutions enriched judicial culture here and made the people of this area acclimatize themselves to the judicious culture of settling their disputes through judicial means. It is axiomatic that with the inauguration of the Court Complex today, the judicial institutions at Narsapur would thrive and it would continue to produce eminent lawyers, trend – setter Judges and there is no manner of doubt that the people of this area would continue to receive the patronage of Judiciary that would always be at the beck and call of justice, lending its helping hand, to all those in distress, duly mitigating their grievances. Thriving Judiciary paves the way for an orderly society, thereby laying the foundation for a progressive nation, taking its glorious flag, to its zenith. Thus, Narsapur Bar, seasoned by its centuries of experience, molded itself as a center for professional excellence. The Narsapur Bar spanned over centuries, has contributed its mite, so far, and would undoubtedly continue its onwards march of dispensation of justice by continuing its fervor for erudition and its commitment for quality justice.

**ADDRESS BY MR. D.V. SITHARAM MUTHY, PRESIDENT ELECT
OF A.P. HIGH COURT BAR ASSOCIATION, HYDERABAD
*On the Annual Day held on 1-4-2007***

My Lord the Chief Justice Mr. G.S. *Singhvi*, the illustrious Advocate-General Mr. C.V. *Mohan Reddy*, you would have noticed the many illustrations in his speech, Mr. G. *Vidya Sagar* and Mr. *Narasimha Rao*, the outgoing President and Secretary, Mr. A. *Narasimha Reddy*, Chairman, Bar Council of Andhra Pradesh, Honourable Judges, Veterans at the Bar and friends.

It has been said that professional function of the Advocate is supreme indifference to much of what matters in life. He must

advance one point of view irrespective of its inadequacies and belittle other interests. He has to propound views to which may not subscribe. He has to defend clients whose conduct may not interest him and often offends him. Several jurists and thinkers alike, opined that it is not for the Counsel appearing in Court to express equivocation, to recognize ambiguity or to doubt instructions. For the Advocate his client is Right and the opponent Wrong. The wider consequences can be left to the Judge to consider. *Felix Frankfurter* said and I quote: The fundamental Role of