

SUPREME COURT OF INDIA

The Collegium of the Supreme Court has recommended the names of the following two Advocates for appointment as Judges of the Madras High Court:

1. Shri N Senthilkumar, and
2. Shri G Arul Murugan.

The recommendation for appointment of the two Advocates as Judges of the Madras High Court was made by the Collegium of the Madras High Court on 3 August 2022.

The Chief Minister and the Governor of Tamil Nadu concurred in the recommendation for the elevation of the two candidates.

On 17 January 2023, the Supreme Court Collegium considered the proposal pertaining to the above candidates. Having taken note of the observations of the Department of Justice in the file, the Collegium decided to seek specific material, if any, from the government. Pending receipt of the response, consideration of the above proposal was deferred. The file was received back at the Supreme Court with the remark that government does not have any additional inputs in addition to the earlier inputs.

The Supreme Court Collegium considered the above recommendation on 9 May 2023 and deferred its decision in order to seek the report of two members of the Collegium of the High Court (as a recommendation for transfer of the then Acting Chief Justice was under process) on the suitability of the two candidates in view of the issues flagged by the government in the file.

Since in the meantime Justice Sanjay V Gangapurwala assumed charge as Chief Justice of the Madras High Court, he was requested to send the views of the newly formed High Court Collegium on the suitability of the two candidates.

By a communication dated 27 June 2023, the Chief Justice of the Madras High Court has forwarded the Minutes of the High Court Collegium in regard to the suitability of the two candidates.

In terms of the Memorandum of Procedure, the Judges of the Supreme Court conversant with the affairs of the Madras High Court were consulted to ascertain the fitness and suitability of the two candidates.

For the purpose of assessing the merit and suitability of the above-named candidates for elevation to the High Court, we have scrutinized and evaluated the material which has been placed on record. We have perused the observations made by the Department of Justice in the file.

1. Shri N Senthilkumar, Advocate

We have considered the inputs provided by the Government in the file in conjunction with the report of the present Collegium of the High

Court and the opinion of the consultee-Judges in the Supreme Court who have opined that the candidate is suitable for elevation. The candidate has a standing of over twenty eight years at the Bar. He has experience of appearing before the Sessions Court and the Madras High Court. He has been practising in constitutional, criminal, service and civil cases. His field of specialisation is criminal and constitutional law. He has been on the panel of government in various positions on different occasions. He is fifty-two years of age and has a good practice which is reflected in his average professional income and the thirty reported judgments in cases in which he has appeared. The candidate belongs to a Scheduled Caste. His appointment as a judge of the High Court will enhance the representation on the Bench to marginalised communities. Having regard to the above factors, the Collegium is of the considered opinion that Shri N Senthilkumar is suitable for elevation to the Madras High Court.

2. Shri G Arul Murugan, Advocate

We have considered the inputs provided by the government in the file in conjunction with the report of the present Collegium of the High Court and the opinion of the consultee-Judges who have concurrently found that the candidate is suitable for appointment as a judge of the High Court. The candidate has experience of over twenty four years at the Bar. He has appeared before the Madras High Court and various Tribunals. He has specialised in civil, criminal and writ cases. He has a good practice at the Bar and has appeared in cases resulting in seventy

five reported judgments. The candidate belongs to the OBC category. His appointment as a judge will facilitate greater representation to the OBCs in appointment to the higher judiciary. Having regard to the above aspects, the Collegium is of the considered opinion that Shri G Arul Murugan is suitable for the elevation to the Madras High Court.

In view of the above, the Collegium resolves to recommend that (i) Shri N Senthilkumar and (ii) Shri G Arul Murugan, Advocates, be appointed as Judges of the Madras High Court. Their *inter se* seniority be fixed in terms of the existing practice.

(Dhananjaya Y Chandrachud), CJI

(Sanjay Kishan Kaul), J

(Sanjiv Khanna), J

18 July 2023.

