



**TAMIL NADU STATE JUDICIAL ACADEMY,
REGIONAL CENTRE, COIMBATORE**

Report on Webinar Session XXI for Civil Judges

(Conducted through CISCO Webex)

On 23.01.2022 (Sunday) at 10.00 a.m.

Webinar Session XXI for Civil Judges was held on 23rd day of January 2022 through Cisco Webex and the same was conducted by the Tamil Nadu State Judicial Academy, Regional Centre, Coimbatore. 144 Civil Judges were nominated for this programme.

Webinar Session XXI commenced with Welcome Address by Deputy Director of the Tamil Nadu State Judicial Academy, Regional Centre, Coimbatore at 10:00 am.

Thereafter, the learned Resource Person Thiru. P. Vijay Raghunath, Advocate, Coimbatore District conducted session on **"Hindu Laws of Inheritance and Partition."** The learned Resource Person elaborately narrated types of properties under the Hindu Law such as Joint Family Property and self-acquired property. He discussed about the coparcenary and previous status of the Hindu succession Act,1956 and Hindu succession (Tamilnadu amendment) Act, 1989 and The Hindu succession (Amendment) Act,2005.

Further, he explained the recent landmark judgement in **Vineeta Sharma Vs. Rakesh Sharma** and analysed the law of inheritance.

Further, he cited the judgments of the Honorable Apex Court in **Arshnoor Singh Vs. Harpal Kaur & others**(2019(5) CTC Pg.No.10), **K. Natarajan Vs. Gopalasundari** (2012(1) MWN(Civil) 1Pg.No.1) and **Danamma @ Suman Surpur Vs. Amar and Others**(2018(1) MWN (Civil) 517).

Thereafter, the learned Resource Person explained the Devolution of interest in coparcenary property under section 6 of the Hindu Succession Act, 1956 and its implications on the Hindu Mitakshara coparcener and after the commencement of Hindu succession (Amendment) Act, 2005 with reference to the recent developments.

In view of the direction given in Crl. O.P. No. 7347 of 2017 on the file of High Court of Madras dated 17.11.2021, discussion was made with the judicial officers. In the discussion, the following important points are sensitized to the judicial officers.

- I) The Judicial officers before taking the case on file, they have to apply their judicial mind and peruse the case records thoroughly and the relevant provisions of law. The Judicial officers shall verify the period of limitation whether within the statutory period the prosecution has been launched or not.
- II) The practice of affixing the seal as TOF denoting 'Taken on File' should be avoided and the judicial officers shall write whether the complaint shall be taken or not, before taking cognizance.
- III) The Judicial officers have to apply their judicial mind while reading the complaint and relevant case records and provisions of law. The Judicial officers shall make a definite conclusion.

The judicial officers actively participated in the discussion and shared their views and put their insights into the matter. As per the direction of the Hon'ble High Court judicial officers were effectively sensitized in the above matter.

The Session concluded with the Deputy Director of the Tamil Nadu State Judicial Academy, Regional Centre, Coimbatore proposing Vote of Thanks.
