



TAMIL NADU STATE JUDICIAL ACADEMY REGIONAL CENTRE, COIMBATORE

PROGRAMME REPORT

Professional Development Programme-II for Civil Judges held on 24.09.2022 and 25.09.2022

A two days Professional Development Programme-II for Civil Judges was held on 24.09.2022 and 25.09.2022 at Tamil Nadu State Judicial Academy, Regional Centre, Coimbatore.

On the first day the programme commenced at 10 a.m. with the welcome address and a brief insights on scope and object of the training programme by the Deputy Director of the Tamil Nadu State Judicial Academy, Regional Centre, Coimbatore. He also introduced the Resource Person, Thiru. N. Sridhar, Advocate, Coimbatore. The learned Resource Person dealt with the topic "**Interlocutory Applications - Management & Expeditious Disposal**". He discussed about the word 'Interlocutory' and Sec.94 of CPC and further explained that there are 394 different nomenclature of interlocutory applications as provided on the Hon'ble Supreme Court's Website.

Moving on, he explained that Pre-trial Amendment, Post-trial amendment and Amendment of WST with reference to the dictum of the Hon'ble Supreme Court of India in *Life Insurance Corporation of India Vs. Sanjeev Builders Private Limited 2007 5 SCC 602*.

The learned Resource person also gave a number of case laws laid down by the Hon'ble Supreme Court of India. He then discussed the case law *T. Arivandandam Vs. T.V Satyapal and another* and few other judgments too.

He explained Temporary Injunctions, Reason for overall reduction in rate of interim orders, appointments of commission and Amendment of Decree in lieu of the judgment reported in AIR 1980 Mad 116, 2015 4 LW 62.

Further, he emphasized the steps to implead LRS, Set aside Abatement & Delay Condonation and analyzed the Reopen of Evidence. He then spoke about recall of witness and clearly explained steps to implead *lis pendens*, transferee/Assignee, O1R10 & O22R10, false & Vexatious claim and Causing delay by explaining Sections 35A & 35B.

The Deputy Director of the Tamil Nadu State Judicial Academy, Regional Centre, Coimbatore dealt the topic "**Verification of Stamp Papers – Find the fake**". He sensitized the participating Civil Judges with regard to the usage of fake stamp papers which has large network in all over the Tamil Nadu. The Deputy Director also spoke about the strategies to avoid or detect the fake court fee stamp paper at filing stage. He reiterated the necessity to create awareness among all the stakeholders. He then discussed the fake stamp papers that were used in several places such as Dharapuram and Pudukottai and threw some light on the ways to find the fake stamp papers and importance of punching the stamp papers were also stressed upon.

Post lunch session was handled by Thiru. M. Dharmaprabu, Sub Judge, Dharapuram on the topic "**Private Complaint – Procedures to be followed**". The learned Resource Person explained the purpose of a Trial and Role of a Judge with reference to the dictum of the Hon'ble Supreme Court of India in *Ramchander Vs. State of Haryana* and explained about Cognizance in *R. R. Chari Vs. State of U.P* and Return of Complaint u/s. 201 Cr.P.C. and explained the procedure relating to the framing of charges.

Further, he also differentiated between the Ss. 156(3) and 202 CrPC with the help of Hon'ble Supreme Court Judgment *Rameshbhai Pandurao Hedau Vs.*

State of Gujarat. He then elaborately discussed the facts of such cases rendered by the Hon'ble Supreme Court and how the provisions of law were applied in those cases with practical examples. He also answered and discussed the queries raised by the participants.

On the next day, the programme commenced at 10:00 a.m. Thiru. S. Nagarajan, Sessions Judge, Magalir Neethi Mandram, Tiruppur dealt with the topic "**Proclamation Proceedings against Absconding Accused & Recording of Evidence u/s. 299 Cr.P.C.**" The learned Resource Person stressed the purpose of Sec. 174(A) of IPC. He explained the Ss. 60 to 69 of the Criminal Procedure Code in brief. He also emphasized the challenges faced while adopting u/s.299(1) of Cr.P.C.

In addition to the above, the learned Resource Person interacted with the participants and discussed 'Warrant of Arrest' in Section 70(1) and 70(2) and also discussed Proclamation of absconding accused under Section 82(3) of Cr.P.C. He referred the landmark Judgments during the session *Sunil Tyagi Vs. Govt of NCT of Delhi, Inder Mohan Goswami Vs. State of Uttaranchal, Raghuvansh Dewanch and Bhasin Vs. State of Maharashtra, Vikas Vs. State of Rajasthan, M/s. Jeevan Emu Care Indian Private Limited Vs. The State of Tamil Nadu* and interacted with the participating Judges.

Post lunch session, Thiru. A. S. Ravi, Special Judge, Special Court under TNPID Act, Coimbatore dealt with the topic "**Suits relating to Cancellation and Setting aside of Documents and Decrees**". The learned Resource Person elaborately explained the words, agreement, Promise, Voidable, Void. Further, he discussed the Sections 24 to 30 and 56 of The Indian Contract Act, 1872 and clearly explained the Sec.25(d), 40(1),40(2), 47 of Tamil Nadu Court-Fees and Suit Valuation Act, 1956 and explained Order 23 Rule 3 of CPC and Sec. 68(2) of The Registration Act,1908. The learned Resource Person interacted with the participants and also clarified their doubts. In respect of

sections 25(d) and Sec.40 of Tamil Nadu Court-Fees and Suit Valuation Act, 1956, he emphasized the importance of declaration of suits and cancellation of decree.

Thereafter, the programme concluded with the proposal of vote of thanks by the Deputy Director.
