

**Title:** Requests the Central Government to take initiative to establish a Division Bench of High Court at Thirunahthapuram the capital of the State of Kerala.

SHRI K. KARUNAKARAN : Sir, ever since the formation of the new States, the people of southern part of Kerala was demanding to re-establish ...(Interruptions)

MR. CHAIRMAN: Shri Vaiko, please resume your seat. Shri Baalu, please resume your seat. It is very difficult to control.

... (Interruptions)

SHRI A.C. JOS : Shri Vaiko, you wanted silence when you speak but now you are interfering when our Member is speaking. ...(Interruptions)

MR. CHAIRMAN: Shri Muthiah, kindly resume your seat. What is this? Let others also have their chance.

SHRI K. KARUNAKARAN : Mr. Chairman, ever since the new State was formed in the year 1956, the people of southern part of Kerala was demanding to re-establish the Bench which they were having in the capital city of Kerala, that is Trivandrum.

Sir, unfortunately, for the last 52 years, their cry, if I may say so, was not heard by those responsible in the Government. Even today they are repeating their request. Sir Probably, Kerala is the only State where the capital of the State is not having the High Court.

Today their demand is at least to have a Division Bench with full powers for filing, etc. All the facilities are there. This was there before 1956. As you know, as a part of the State Re-organisation, it was made very clear in the Act itself that the capital of the State should have the High Court also. But, unfortunately in Kerala, it was not so due to certain political reasons. I do not want to repeat them. Today the request of the people of southern part of Kerala is to have a Division Bench with filing powers.

I appeal to this Government to kindly look into it. and establish a division Bench at the State capital without any further delay.

Recently, Sir in Rajasthan, they wanted to establish a Bench in Udaipur but it is reported that the High Court has not agreed to that. I can understand the running of the judicial administration, whether it is a High Court or whichever court it may be setting up a Division Bench in the state capital is the people's demand. It is not only the demand of the litigants but also the demand of the people of Kerala. I will quote only one sentence of Justice Bhagawati. Justice Bhagawati said, "The time has now come when the court must become the court of the poor and the struggling masses of the country. They must be sensible to the needs and of doing justice to the large masses of the people to whom justice has been denied for generations."

Under this observation, whatever the court may say, it is the right of the Government to take a decision. It should be a political decision. It is the need of the people of the country. So, the Government should take initiative to establish a full Bench with all responsibilities at Trivandrum, the capital of the State..(Interruptions)

MR. CHAIRMAN : You say it in one sentence that you are supporting it or endorsing it. Are you endorsing this?

">SHRI VARKALA RADHAKRISHNAN (CHIRAYINKIL): Yes, I am endorsing this. But my case is a little bit different. I have given notice on the same demand. There is already an agitation by the lawyers of Trivandrum. They are holding a demonstration. They have even boycotted the courts. There is an Action Committee and they are also demanding the establishment of a High Court Bench at Trivandrum. I have given notice on the same thing.

MR. CHAIRMAN: That is why, I am calling you.

SHRI VARKALA RADHAKRISHNAN : There was already a Division Bench functioning at Trivandrum. It was stopped and we want to revive the Division Bench once established and functioned at Trivandrum in the past. Jaswant Singh Commission has also given its recommendation. The recommendations should be completely followed and a Bench should be established at Trivandrum. Why should we get agitated? I am only raising the people's cause. I have given notice on the same thing. It is the need of the hour.

SHRI N.K. PREMCHANDRAN : Sir, I have also given notice.

SHRI VARKALA RADHAKRISHNAN : It is because the State Government and its exchequer will be benefited if a Bench is established at Trivandrum. In the entire thing, the State Government is a party. It will have to go to Trivandrum. I, therefore, request the Central Government to establish a Division Bench at Trivandrum....  
(Interruptions)

MR. CHAIRMAN: You just say in one single sentence that you endorse it.

">SHRI N.K. PREMCHANDRAN : Sir, I fully support the views expressed by these two leaders and I would like to state that as per the hon. Jaswant Singh Commission's report, the capital of the State of Kerala is fulfilling the requirements. So, it is the urgent need of the State of Kerala to have a Bench with full powers of filing cases also. (Interruptions)

MR. CHAIRMAN: I have already told both of you to say that you endorse it. All right, you say that you endorse the point raised by them.

... (Interruptions)

MR. CHAIRMAN: Do you want another Bench at Kasaragod also?

DR. SHAKEEL AHMAD (MADHUBANI): Sir, he is also supporting the same.

SHRI P. SANKARAN (CALICUT): Sir, I have given notice.

MR. CHAIRMAN: Your name is there.

... (Interruptions)

MR. CHAIRMAN: Your name should have been called earlier. But I do not know why it was not called.

डा. शकील अहमद : सभापति महोदय, मैंने भी नोटिस दिया है और रघुवंश प्रसाद बाबू ने भी नोटिस दिया है। भारत के वैज्ञानिकों को अमरीका से निकाला जा रहा है। ... (व्यवधान)

SHRI P. SANKARAN : Sir, I have given notice for another issue. I have been giving notice everyday but I never get a chance to speak in this august House. So many notices have been given by me but I never got a chance because I am not making any noise. That is the only problem. I am sitting quietly here. What is the reason I am not getting a chance? If this situation prevails, it is very difficult for new Members to raise any issue in the House. It is very sad.

MR. CHAIRMAN: Your name is there. I will call you. I am calling each one of you according to the list already provided to me. Your name is there. When your name comes, I will be calling you. You just cannot get up and say anything and everything that you want to say.

... (Interruptions)

SHRI N.K. PREMCHANDRAN : Sir, he is supporting our view. (Interruptions)