54th Chief Justice of Madras High Court

Prelims - *Current Events of National and International Importance | Indian Polity & Governance.*

Why in News?

Recently, Justice Manindra Mohan Shrivastava took oath as the 54th Chief Justice of the Madras High Court in a ceremony held at Raj Bhavan, Chennai.

- **Appointed by -** President of India.
- **Oath of office -** Administered by State Governor.
- **Powers derived from -** Article 217.
- **Qualification –**
  - Citizen of India,
  - Held a judicial office in the territory of India for ten years; or
  - An advocate of a high court (or high courts in succession) for ten years.
- **Tenure -** Constitution has not fixed the tenure.
  - He holds office until he attains the ***age of 62 years.***
- Any questions regarding his age are to be decided by the president.
- **Resignation -** He can resign from his office by writing to the president.
- **Salaries and allowance -** The salaries, allowances, privileges, leave, and pension of the judges of a high court are determined from time to time by the Parliament.
- Salaries are drawn from the *consolidated fund of the state* while pensions are from the *Consolidated fund of India.*
- **Removal –** He can be removed from his office by the President on the recommendation of the same session of the Parliament.
- Grounds of removal are *proven misbehavior or incapacity.*
- He can be removed on the same manner and grounds as a judge of the Supreme Court.

High Courts

• The high court represents the state's judicial administration.
• **Articles 214 to 231** in Part VI of the Constitution deal with the organization, independence, jurisdiction, powers, procedures and so on of the high courts.
• There are 25 high courts in the country, 3 of which have jurisdiction in more than one state.
• The number of judges, which consists of the chief justice and other judges, varies from state to state and is determined by the president.
• **Functions**
• **Original jurisdiction -** In certain cases, they can hear a case directly, such as those related to fundamental rights or matters transferred from lower courts.
• **Appellate jurisdiction** - High Court judges hear appeals against decisions made by subordinate courts (like district and sessions courts) in both civil and criminal matters.
• **Writs jurisdiction -** High Courts can issue various writs (like Habeas Corpus, Mandamus, Prohibition, Quo-warranto, and Certiorari) to protect fundamental rights and ensure justice.
• **Supervisory jurisdiction** - High Courts have the power to supervise and control all courts and tribunals within their jurisdiction (except those dealing with the armed forces).
• **Court of record** - Its proceedings, judgments, and acts are officially recorded and considered permanent legal documents.
• **Administrative powers**- High Courts also handle administrative tasks like appointing staff, determining salaries, and making rules for subordinate courts.
• **Power of judicial review** - High Courts can review laws and ordinances to ensure they are consistent with the Constitution and declare them unconstitutional if they are not.

Reference

The Hindu| 54th Chief Justice of Madras High Court

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