

REPLY SPEECH BY HON'BLE MR. JUSTICE P.A. MOHAMMED

My Lord Chief Justice, Brother Judges, The Advocate General, The President of the Advocates' Association, Ladies and Gentlemen,

1. In the name of God, I have read out, a short while ago, solemn declaration before you all and assumed the most benevolent office with all confidence and courage.

2. Let me pray the Almighty to shower upon me the continued kindness for the successful discharge of my official duties with all-round peace and tranquility.

3. The first and foremost thing I propose to do at this time of solemnity is to bow down in revered memory of our brethren who sacrificed their life for liberating our great country from the clutches of colonial dictate and for attainment of freedom and self-rule without which I could not have even thought of the present assignment given to me.

4. Let me express my sincere respect and obedience to My Lord Chief Justice for affording me an opportunity to serve this great temple of justice where the perfumes of independence and impartiality pervades all over.

5. Both Advocate General Sri.M.B. Kurup and President of the Advocates' Association Sri.M.I. Joseph gave you some happy outlines of my past performance. While thanking them whole-heartedly in return I firmly believe that both of you will continue to offer me all possible co-operation and assistance in future in the discharge of my official duties.

6. Naturally one has to look back on the occasion like this and my introspection take me back to 1964 in which year I joined the busy office of Sri.V. Khalid, most respected and dignified member of then Tellicherry bar who is now settled down in Madras after the retirement as Judge of Hon'ble Supreme Court. Later, in the year 1965 in connection with a case then pending before the Supreme Court, I came in close contact with a noble personality late Dr.V.A. Seyid Mohammed, who needs no introduction to you in any manner. His magnetic cordiality and constant encouragement cleared my way to enter into the dignified chamber of Sri.P. Subramanian Poti who later became the Chief Justice of this Hon'ble Court. These three personalities to whom I am deeply obliged showered upon me the blessings for the future but I have nothing to offer them in return except my gratitude wrapped in innermost affinities.

7. Let me declare at this solemn atmosphere that I will uphold and sustain with all firmness and courage and independence of judiciary and its impartiality which are the basic requirements for the successful working of our political system of Parliamentary democracy.

8. The Former Chief Justice of India Sri. E.S. Venkatarajah said:

"At any rate after the amendment of the preamble of our Constitution by introducing the concept that India is a Socialist State by 42nd Amendment and retention of that concept even at the time when the Constitution was amended by the 44th Amendment any construction of a statute in India should bear the stamp of the concept that we are a socialist State."

Therefore, I feel that the courts while interpreting the Constitution and laws of this country, shall have the full understanding of the socialist philosophy and its impact on the problems of human values and common needs in a fast-changing Society which is basically democratic.

9. It is for the protection and well being of the people at large the law and justice are expounded in clear terms in Holy texts and I am being reminded of the commandments in those texts at this stage of transition in my life. Look at the following concept of law in a passage from sacred text of 'Upanishad':

"Law is the king of Kings; Nothing is superior to law; The law aided by the power of the king enables the weak to prevail over the strong."

See the Holy Quran how draws the wheels of justice:

"O ye who believe!
Standout firmly
For justice, as witnesses
To God, even as against
Yourselves, or your parents,
Or your kin, and whether
It be (against) rich or poor;
For God can best protect both"

10. Search for law and justice is the top most venture in a man's life and I hereby dedicate myself to that noble task in a manner as Bernard Shaw taught us:

"Life is not a "brief candle". It is a splendid torch that I want to make burn as brightly as possible before handing it on future generation."

Thanking you all who are present here to witness this solemn function.