

SUPREME COURT OF INDIA

This file relates to the proposal for appointment of following seven Advocates, as Judges of the Kerala High Court:

1. Shri V.G.Arun,
2. Shri N. Nagaresh,
3. Shri P. Gopal,
4. Shri P.V.Kunhikrishnan,
5. Shri S. Ramesh,
6. Shri Viju Abraham,
7. Shri George Varghese.

The above recommendation made by the then Chief Justice of the Kerala High Court on 7th March, 2018, in consultation with his two senior-most colleagues, has the concurrence of the State Government of Kerala.

In order to ascertain suitability of the above-named recommendees for elevation to the High Court, we have consulted our colleagues conversant with the affairs of the Kerala High Court. Copies of letters of opinion of our consultee-colleagues received in this regard are placed below.

For purpose of assessing merit and suitability of the above-named recommendees for elevation to the High Court, we have carefully scrutinized the material placed in the file including the observations made by the Department of Justice therein. Apart from this, we invited all the above-named recommendees with a view to have an interaction with them. On the basis of interaction and having regard to all relevant factors, the Collegium is of the considered view that S/Shri (1) V.G.Arun, (2) N. Nagaresh, and (3) P.V.Kunhikrishnan, Advocates (mentioned at Sl. Nos. 1, 2 and 4 above) are suitable for being appointed as Judges of the Kerala High Court.

As regards S/Shri S. Ramesh, Viju Abraham, and George Varghese, Advocates (mentioned at Sl. Nos. 5, 6 and 7 above) having regard to the material on record and all relevant factors, the Collegium is of the considered view that their cases deserve to be deferred. The

proposal for their elevation would be taken up for consideration by the Collegium after some time.

As regards Shri P.Gopal, Advocate (mentioned at Sl. No. 3 above), the Collegium deems it appropriate not to recommend his name for the present, as he does not qualify the existing norms, his average net professional annual income for the preceding five years being less than the prescribed income limit applicable in case of Bar members.

We have also taken note of the certain complaints received in the office of Chief Justice of India making allegations against some of the above-named recommendees. On examination, we do not find any *prima facie* substance in these complaints, which deserve to be ignored.

In view of the above, the Collegium resolves to recommend that S/Shri (1) V.G.Arun, (2) N. Nagaresh, and (3) P.V.Kunhikrishnan, Advocates, be appointed as Judges of the Kerala High Court. Their *inter se* seniority be fixed as per the existing practice.

(Ranjan Gogoi), C.J.I.

(Madan B. Lokur), J.

(Kurian Joseph), J.

October 09, 2018.

