

SUPREME COURT OF INDIA

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

1. Shri P.V. Kunhikrishnan,
2. Shri S. Ramesh,
3. Shri Viju Abraham, and
4. Shri George Varghese.

The Collegium of the Kerala High Court on 7th March, 2018 had recommended names of seven Advocates, including the above-named Advocates, for elevation to the High Court Bench. While the proposal for elevation of three Advocates including Shri P.V.Kunhikrishnan, was approved by the Supreme Court Collegium on 9th October, 2018, the proposal in respect of three Advocates viz. S/Shri S.Ramesh, Viju Abraham and George Varghese, was deferred for being considered after some time. The proposal in respect of Shri P.V.Kunhikrishnan has been referred back by the Department of Justice to the Chief Justice of India for reconsideration in the light of the observations made in the file.

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 their opinion in this regard are placed below.

As regards Shri P.V.Kunhikrishnan, we have carefully scrutinized the material placed on record including the reasons recorded in the file for seeking reconsideration of the proposal for his elevation. The Collegium while clearing his name on 9th October, 2018 has already considered material on the basis of which the proposal relating to Shri Kunhikrishnan has been referred back for reconsideration. As there is no fresh material in the file referred back to it for reconsideration of the above proposal, the Collegium is of the considered view that Shri P.V. Kunhikrishnan deserves to be elevated to the High Court Bench. The Collegium accordingly resolves

to reiterate its recommendation dated 9th October, 2018 for appointment of Shri P.V. Kunhikrishnan, Advocate as a Judge of the Kerala High Court. In view of the above, the proposal for his elevation needs to be processed expeditiously.

For purpose of assessing merit and suitability of S/Shri S. Ramesh, Viju Abraham, and George Varghese, Advocates, we have carefully scrutinized the material on record as well as the observations made by the Department of Justice in the file.

As regards Shri Viju Abraham, the Collegium deems it appropriate to seek further information before final decision regarding his suitability for elevation is taken. The proposal for his elevation is accordingly deferred for the present.

Having regard to all relevant factors, the Collegium is of the considered view that the proposal for elevation of S/Shri S. Ramesh, and George Varghese, Advocates, deserves to be remitted to the Kerala High Court. The Collegium resolves to recommend accordingly.

(Ranjan Gogoi), C.J.I.

(A.K. Sikri), J.

(S.A. Bobde), J.

February 12, 2019.

