

CJI seeks judge's response to AP CM's complaint

Plaint: Was Influencing Andhra HC

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New Delhi: CJI S A Bobde has sought Supreme Court judge Justice N V Ramana's response to a complaint filed by Andhra Pradesh chief minister Y S Jagan Reddy accusing the judge of influencing the Andhra Pradesh HC, which has been passing orders criticising the state government.

Earlier, the CJI had asked the Andhra Pradesh CM to file an affidavit backing his earlier complaint letter dated October 6. The CM had sent the complaint to the CJI days after a bench headed by Justice Ramana had expedited the snail-paced trial in criminal cases pending against sitting and former MPs and MLAs. Over two dozen cases are pending trial against Reddy.

CJI Bobde had sought Justice Ramana's response after Reddy backed up his complaint by filing an affidavit. "It is still not clear whether Justice Ramana has submitted his response to the complaint. After receiving the response, it is for the CJI to take a call on the fate of the complaint. The CJI could close the issue on finding Justice Ramana's response adequate. Otherwise, he may decide to further inquire into the issue," SC sources said.

CM's complaint had triggered fast-paced developments. First, the Collegium headed by CJI Bobde transferred out the chief justices of the HCs of Andhra Pradesh and Telangana, the two states where the criminal cases are pending trial against Reddy. It was followed by a SC bench headed by the CJI staying an AP HC order that had expressed doubts over the working of constitutional order in the state given the state of preventive and unwarranted detentions.

As Jagan Reddy government celebrated the brownie points it scored against the AP HC - the transfer of the



Justice N V Ramana

chief justice and the stay ordered by the SC on the HC's damaging order, a HC bench of Justices Rakesh Kumar and D Ramesh passed a stinging order on December 30, escalating the unsavoury spat between the state government and the HC.

Justice Kumar (who had passed remarks about the breakdown of constitutional machinery in the state) and who retired on December 31, listed out the pending cases against Reddy - 11 filed by the CBI, six by the Enforcement Directorate and 18 police case. He said that the police started filing closure reports in some cases against Reddy immediately after the SC bench led by Justice Ramana on September 16 ordered expeditious trial of pending cases against sitting and former MPS and MLAs.

The stinging order from Justice Rakesh Kumar came on an application filed by the state government seeking his recusal from hearing a petition against the government. Justice Kumar said, "...one can infer how the government in the state of Andhra Pradesh is proceeding. Firstly, attack was made on Legislative Council (for refusing to agree with Assembly for three capitals for the state), thereafter another constitutional body, that is State Election Commission; and now the High Court of Andhra Pradesh and even the Supreme Court is under attack by persons, who are in power." The state is readying an appeal against this order before the SC, sources said.