

FULL COURT REFERENCE HELD IN THE HIGH COURT OF KERALA ON 3rd JUNE 2025, ON THE OCCASION OF THE RETIREMENT OF HONOURABLE MR. JUSTICE P.G. AJITHKUMAR.

Speech by Sri. K Gopalakrishna Kurup, Advocate General

Hon'ble the Chief Justice of the High Court of Kerala, Mr. Justice Nitin Jamdar; The Hon'ble Mr. Justice P.G. Ajithkumar; The Hon'ble Judges of the High Court of Kerala; The President of the Kerala High Court Advocates Association; The Chairman of the Bar Council of Kerala; The President, Kerala High Court Senior Advocates' Association; The President, Kerala Federation of Women Lawyers, Kerala High Court Unit; Law Officers of the State; Deputy Solicitor General, Senior Central Standing Counsel(Taxes) and other Law Officers of the Central Government; Law Officers of the Union Territory of Lakshadweep; Learned Senior Advocates; Esteemed Fellow Members of the Bar; Registrar General, Registrars and Staff of the High Court; Staff of the Advocate General's Office; Advocate Clerks; Family Members of Hon'ble Mr. Justice P.G. Ajithkumar; All other dignitaries joining online; Ladies and Gentlemen;

Today, we have all gathered here to offer farewell to My Lord Justice P.G. Ajithkumar, retiring on attaining superannuation after almost three and a half decades of immaculate and exceptional career as a Judge, both in the District Judiciary and in this Hon'ble Court, leaving a lasting legacy of integrity, fairness and unwavering commitment to justice.

My Lord, born on 04.06.1963 at Anchal to late Sri. R. Gopala Pillai and Smt. J. Thankam, graduated in Science from St. John's College, Anchal and in Law from Government Law College, Thiruvananthapuram. A Post Graduate in Law from Annamalai University, you commenced practice in 1987 at the various Courts at the District Court Centre at Thiruvananthapuram, as a junior colleague of Advocate Shri. C.S. Sukumaran Nair, a doyen of the Thiruvananthapuram Bar. The senior members of Thiruvananthapuram Bar, particularly on the civil side, still remember you as an enthusiastic, enterprising and studious young lawyer.

Within about four years of commencing practice, My Lord joined District Judiciary, in the erstwhile Criminal Judicial Service, on 25.02.1991 as the Judicial Magistrate of the Second Class at the Court of the Judicial Magistrate of the First Class, Chavakkad. You later officiated as Judicial First Class Magistrate at Kozhikode, Attingal and Kochi, as Munsiff at Attingal, Irinjalakuda and Neyyattinkara,



as Subordinate Judge at Neyyattinkara and Alappuzha and as Additional District and Sessions Judge at Ernakulam. You were the first Deputy Director of Kerala Judicial Academy in 2007. Later, you were appointed as Additional Director of Kerala Judicial Academy in the year 2015 and continued as such till 2018. My Lord's long tenure in the Kerala Judicial Academy singularly evidences the fact you have been widely acknowledged as a legal academician and a scholarly expert in law. In November 2018, you were appointed as Registrar (District Judiciary) of this Hon'ble Court.

It was while serving as Registrar (District Judiciary) that My Lord was elevated as an Additional Judge of this Hon'ble Court on 20.10.2021. You were appointed as Permanent Judge with effect from 31.07.2023.

Patient hearing, diligent consideration of the lis and rendering just decision coupled with humility are hallmarks of an efficient and good Judge. My Lord was humility personified as a Judge. Soft spoken, affable and gentle, you listened to the arguing lawyers patiently, never cut short arguments of either sides, and was always accommodative of the Bar. You rendered quality judgments expeditiously. That you or Benches in which you were part of had rendered more than twenty-one dozens of judgments, deciding more than 1350 hitherto undecided principles of law, reported in law journals as precedential judgments, speaks volumes for your judicial acumen, particularly taking note of the time frame of less than four years that took for so much to be done on the judicial side.

In **Avinash Saraf v. C. D. Jose and another** [2021 (6) K.H.C. 437], My Lord, speaking for the Division Bench, reiterated that in the matter of appreciation of evidence of witnesses, it is not the number of witnesses but quality of their evidence which is important. You, in the said judgment, also examined the powers of Revisional Court under the Kerala Buildings (Lease and Rent Control) Act, 1965. In **Deepak S. P. v. B. Govardhanan Nair and others** [2021 (6) K.L.T. 708], you, speaking for the Division Bench, held that in appropriate cases, High Court, while exercising supervisory jurisdiction under Article 227, may substitute a decision of its own in place of impugned decision, as the inferior Court or Tribunal should have made. In **Vidhya Mundeekat v. Akhilesh Javaram** [2021 (4) K.L.J. 909], My Lord, speaking for the Division Bench, examined the manner of consideration of Transfer Appeal against the order of Single Judge in Transfer petition and the extent of restraint to be exercised by Division Bench while considering such matters. In **Kuniyil Abdulla and another v. Abdul Haris K. and Another** [I.L.R. 2022 (1) Kerala 385], you, speaking for the Division Bench, held that a private right created by operation of a statutory provision can be waived by the person in whose favour and benefit that right has been created and accrued, provided there is no violation of

any public right or public policy. In **Robin George v. Sebastian P. Varghese** [2022 (1) K.H.C. 150], My Lord, speaking for the Division Bench, examined the evolution as well as the scope and purpose of Limitation Act, 1963 and the history of legislations pertaining to law of limitation. I can go on citing umpteen judgments demonstrating My Lord's intellectual judicial outputs, but I am restricting myself on account of time constraints.

My Lord is married to Smt. V.N. Rema and have been blessed with two sons; A.R. Athul, an alumni of the prestigious Indian Institute of Technology, Bombay and now working at the United States of America and A.R. Amal, a Lawyer by profession and presently a law clerk at Delhi High Court.

But for the prefixed time frame for retirement due to constitutional compulsions, I am certain that all lawyers of the High Court Bar would have liked an erudite judge like My Lord to have continued in office for some time more. I hope that the stakeholders will see to it that the legal infra-structure of the State is not denuded of My Lord's legal proficiency. On behalf of the entire legal fraternity of the State of Kerala, I wish My Lord more and more years of happy and fruitful life ahead.

Jai Hind

Speech by Sri. Yeshwanth Shenoy, President, Kerala High Court Advocates' Association.

Hon'ble Mr. Justice Nitin Jamdar, Chief Justice, Hon'ble Mr. Justice P.G. Ajithkumar, Judges of this Hon'ble Court, Former Judges of this Hon'ble Court, Advocate General, Director General of Prosecution, Deputy Solicitor General of India, Chairman of the Bar Council of Kerala, State Attorney, Secretary and the executive committee members of the Kerala High Court Advocates' Association, Coordinator, High Court Mediation Centre, respected Senior Advocates, the Registrar General, Registrars and Staff of this Court, law officers of the State and Central Government, Family members of Justice P.G. Ajithkumar, Advocates Clerks and my Colleagues at the Bar, my brothers and sisters.

We have gathered to bid farewell to Hon'ble Mr. Justice P.G. Ajithkumar, who spent 34 glorious years as a Judicial officer starting as a Judicial Magistrate Second class to being a Judge of this Court, which is the highest Court in the State. His remarkable journey from the serene village of Anchal to the hallowed halls of this Temple of Justice exemplifies the very essence of merit, perseverance, and judicial excellence.

As the second son among five children, Justice Ajithkumar's early life was



shaped by the values of education and service that his father embodied in the classroom and his mother nurtured at home. His academic journey from St. John's College, Anchal, to Government Law College, Thiruvananthapuram, and LL.M. at Annamalai University, reflects a continuous pursuit of knowledge and excellence. Justice Ajithkumar's transition from the Bar to the Bench in 1991 as a Judicial

Magistrate marked the beginning of a stellar judicial career spanning over three decades. From the Judicial Magistrate's Court at Chavakkad to the various stations where he served, Justice Ajithkumar left an indelible mark of efficiency and compassion.

His appointment as the first Deputy Director of the Kerala Judicial Academy in 2007 was a recognition of his academic acumen and commitment to judicial education. His subsequent promotion to Additional Director in 2015 and his distinguished service as Registrar (District Judiciary) from November 2018 until his elevation to this Court demonstrated his exceptional administrative capabilities and reflects his dedication to nurturing the next generation of legal minds.

When Justice Ajithkumar was sworn in as an Additional Judge of this Court it was not merely an individual achievement but a moment of pride for the entire judicial fraternity. It showcased the possibility of reaching the Highest Court of the State after having joined the Judiciary at its lowest hierarchy.

During his tenure on the Bench of this Hon'ble Court, Justice Ajithkumar has distinguished himself as a Judge who combines legal erudition with human compassion. His judgments reflect his sensitivity to the plight of the common man. He has been a Judge who has always remembered that behind every case file lies a human story, and justice must not only be done but must also touch the hearts of those who seek it. Whether dealing with complex questions of law or matters affecting the daily lives of citizens, Justice Ajithkumar has brought to bear his vast experience from the district judiciary and his deep understanding of ground realities.

Justice Ajithkumar's humility, approachability, and genuine concern for the welfare of all court staff and members of the Bar have endeared him to everyone who has had the privilege of interacting with him. He has been a Judge who has never forgotten his roots or the struggles that shaped his journey. Justice Ajithkumar has always been accessible to the Bar, patient in hearing arguments, and fair in his judgments. These qualities have earned him the respect and admiration of the entire legal fraternity.

As Justice Ajithkumar prepares to lay down his robes, he leaves behind a rich legacy of service to the cause of justice. His contributions to judicial administration, his mentorship of young judicial officers, and his commitment to judicial education through the Kerala Judicial Academy will continue to benefit the judicial system for years to come.

On behalf of the Kerala High Court Advocates' Association and the entire Bar, I express our heartfelt gratitude to Justice Ajithkumar for his distinguished service to the cause of justice. As Justice Ajithkumar embarks on the next chapter of his life, we wish him good health, happiness, and fulfillment. The gratitude of the Bar will be incomplete if we forget to thank Mrs. V.N.Rema who have been with you throughout your Journey. Thank you mam for your sacrifices that enabled him and empowered him to discharge his duties.

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Speech by the Honourable the Chief Justice Mr. Nitin Jamdar

Brother Justice P.G. Ajithkumar, Esteemed Sister and Brother Judges, The Advocate General and the law officers of the State and the Union of India, Chairman, Bar Council of Kerala, President of the Kerala High Court Advocates' Association, President, of the Senior Advocates' Association, President of the Kerala Federation of Women Lawyers, Senior Advocates, Members of the Bar, Members of the Advocates' Clerks' Association, Mrs. Rameswary & other family members of Justice Ajithkumar, Ladies and Gentlemen,

Today we have assembled here to bid farewell to one of our colleagues on the Bench - Justice P.G. Ajithkumar.

After more than three decades of service in the District Judiciary and serving as a Judge of this High Court for more than three and a half years, Justice Ajithkumar will be demitting the office on attaining the age of superannuation on 4th June 2025.

Justice Ajithkumar was born on 4th June, 1963, at Anchal in Kollam District, to late Sri. R. Gopala Pillai, who was a teacher, and Smt. J. Thankam.

After completing his Bachelor's degree in Science, Justice Ajithkumar pursued Law and obtained his Bachelor's degree in Law from Government Law College, Thiruvananthapuram.

Later, he secured Master's degree in Law from Annamalai University.

In the year 1987, he enrolled as an advocate and started practice at



Thiruvananthapuram. After more than three years of practice in the District Judiciary, in February, 1991, Justice Ajithkumar joined the Kerala Judicial Service and was posted as Judicial Magistrate.

Thereafter, he served in the District Judiciary in various capacities and at different stations.

In 2007, on the creation of the post of Deputy Director of Kerala Judicial Academy, he was appointed as the first incumbent in that post and continued in that post till 18th June 2011. Later, he was appointed as Additional Director in 2015 and served as such till 13th November 2018. While functioning as District Judge, Justice Ajithkumar was appointed as Registrar (Subordinate Judiciary), on deputation, for the period from 14th November 2018 to 13th January 2021. He continued in that post as Registrar (District Judiciary), upon re-designation of the post, till 19th October, 2021.

On 20th October 2021, Justice Ajithkumar was elevated as an Additional Judge of the High Court of Kerala and, on 31st July, 2023, became permanent Judge of this Court.

On the judicial side, Justice Ajithkumar has dealt with cases in various jurisdictions and mainly in criminal cases, writ petitions, matrimonial appeals and family court cases, rent control revisions etc.

The judgments of Justice Ajithkumar reported in various Law journals bear ample testimony for his legal acumen and experience of over thirty years that he has put in.

Justice Ajithkumar was instrumental in settling the law being party to the Full Bench decisions of this Court. These decisions vexed and settled recurring questions of law. As a part of the Division Bench also, Justice Ajithkumar was a party to various authoritative pronouncements.

In these three decades, Justice Ajithkumar has discharged his duties and responsibilities as a judge in conformity with the true spirit of the oath administered to him.

On the administrative side of the High Court, Justice Ajithkumar served as a Member of the Board of Governors, Kerala Judicial Academy, Committee for Juvenile Justice and to monitor progress of trials under the PoCSO Act, Budget Committee and monitoring Committee for Schemes of District Judiciary, Special Committee to look into the representations of Judicial Officers regarding transfer and Committee for Performance evaluation and mentoring of Judicial Officers and various other Special Committees.

Justice Ajithkumar always has a smiling face. Humble by nature, he is always willing to shoulder any additional responsibilities. He has proved his mettle as an academician by discharging his duties as the Deputy Director and Additional Director of the Kerala Judicial Academy for more than seven years.

His achievements and long career was with the full support from his family members. Acknowledgments and appreciations are due to his wife Mrs. Rameswary and sons Athul and Amal for the support they have given to Justice Ajithkumar in discharging his duties as Judge of this Court.

On behalf of my Sister and Brother Judges on the Bench and on my own behalf, I extend our sincere gratitude for Justice Ajithkumar for his unstinted support and cooperation in upholding the rich traditions of this Court.

All our best wishes to Justice Ajithkumar for continued good health, happiness and for all his future endeavours.

Thank you.

Reply speech by the Honourable Mr. Justice P.G. Ajithkumar

Hon'ble the Chief Justice, Mr. Justice Nitin Jamdar, my esteemed Sister and Brother Judges, Respected former Judges of this Court, Sri. K. Gopalakrishna Kurup, learned Advocate General, Sri. Ashok M. Cherian and Sri.K.P.Jayachandran, learned Additional Advocates General, Sri.T.A Shaji, Director General of Prosecutions, Smt. O.M. Shalina, Deputy Solicitor General of India, Sri.Yeshwanth Shenoy, President, Kerala High Court Advocates' Association, Sri.T.S. Ajith, Chairman, Bar Council of Kerala, Other Law Officers of the Centre and the State, Sri.N.Nandakumara Menon, President, Senior Advocates' Association, Smt.P.K Santhamma, President, Kerala Federation of Women Lawyers, Registrar General and other Registrars of this Court, Directors of the Kerala Judicial Academy, Member Secretary, KeLSA, Director, Mediation and Conciliation Centre, Members of the District Judiciary, Dear Senior and other Advocates, Members of staff, Advocate Clerks, members of my family, Ladies and gentlemen.

Let me first convey my sincere gratitude to the Honorable Chief Justice, learned Advocate General and the President of the High Court Advocates' Association for the good words spoken about me. The delight that transcended by those words certainly will help me to take forward the rest of my life.

It has been a long journey. After a short stint of 4 years of practice as a lawyer, I started my career as a Judicial Magistrate of the Second Class on 25.2.1991.



There were routine promotions. Integration of civil and criminal judicial services enhanced my prospects. While functioning as Registrar (District Judiciary) I was elevated as a Judge of this august Court. I could function as a judge for 3 years and 7 months.

Today, as I bid farewell to this esteemed institution, I am in a mix of emotions. I am very happy that I am able to demit my office after a fulfilling tenure. I am grateful for the privilege of having served as a Judge of this Court, and I am proud to have been part of the judiciary in the State in its efforts to uphold the rule of law and dispensation of justice.

I was elevated timely only because of the thoughtful acts of Justice S. Manikumar, the then Chief Justice, and other members of the collegium, Justice C. T. Ravikumar and Justice K. Vinod Chandran. I express my profound gratitude to them. I have had the opportunity to sit with Justice Anil K. Narendran and Justice P.B. Sureshkumar. Both of them were so considerate and encouraging. That helped me to pen down a few judgements having social and legal importance. I thank both of them.

Besides judicial work I spent a considerable period of my service in teaching. I was a part of the Kerala Judicial Academy for more than 7 years. I could continue the association with the Kerala Judicial Academy as a member of its Board of Governors. I could also associate with the Juvenile Justice Committee and become part of its efforts to address various issues faced by the hapless children who happened to be the inmates of children's homes in the State. I got those opportunities only because of my retention in those committees by the beloved Chief Justice, Justice Nitin Jamdar. I would like to express my deepest gratitude to the Chief Justice. I also express my unstinting gratitude to my sister and brother judges for their support and cooperation.

When I assumed office, I assured that I would put in all efforts to discharge my responsibilities as a Judge. I believe I kept my words. I leave the rest for your decision. Throughout, I tried to profit from the erudition and experience of the Bar.

Being a person associated with the judiciary in the State for more than 34 years, I take this opportunity to say a few words to the members of the District Judiciary and the legal fraternity, particularly, the junior lawyers. The spirit of justice is the cornerstone of our society. Every Judicial Officer is expected to thrive for that end. In that pursuit adversities; even from the part higher ups shall not deter you. Wish all judicial officers in the State and members of staff a good time in future.

It is said, the law is a noble profession, and those who choose it must be

prepared to serve the public. Reluctance often mars the prospects of junior lawyers. Chances will not come our way. We have to thrive and achieve. One has to shed inhibition and tap the opportunities. I advise the junior lawyers to see that no opportunity is missed and to work hard. Needless to say, the Senior Advocates have the obligation to shed light and lead the young lawyers in the right path. They shall be the textbooks for the upcoming generation of lawyers. I hope and expect that the Kerala High Court will continue to uphold the highest standards of judicial excellence and lawyers will live up to that expectation.

As I bid farewell to this chapter of my life, I recall the fond memories of my father, Sri. R. Gopala pillai, who is no more. My mother, Smt. J. Thankam, my siblings and members of their families have been so kind and considerate. But for the sacrifice of my wife, V.N. Rema and children, A.R. Athul and A.R. Amal, I could not have dutifully discharged my obligations. My father-in-law, Sri V.N. Raja is now in the heavenly abode. He as well as my mother-in-law, Smt. Vilasini Amma, sister-in-law, V.N. Rajeswari and her family members were also very supportive. I am indebted to all of them and I convey my regards to each one of them.

I cannot forget the help and blessings of many former Judges of this Court. Justice Pius C. Kuriakose, Justice V. Ramkumar, late Justice M.N. Krishnan, Justice K.T. Sankaran, Justice A. Hariprasad, Justice K. Abraham Mathew, Justice A.M. Babu, Justice T.V. Anilkumar, Justice N. Anil Kumar and Justice K. Haripal mentored me much. I express my deep gratitude to each one of them.

I practiced at Thiruvananthapuram as a junior to Adv. C.S. Sukumaran Nair. He as well as my senior colleagues there Sri. N. Premakumar, Sri. M. Nizamuddin and late F. Eugene Fernandez were so supportive and loving. I place on record my sincere gratitude to them.

May I thank the Registrar General, Sri. G. Gopakumar, Registrar (District Judiciary), Sri. Nixon M. Joseph, Registrar (Vigilance), Mini S. Das, Registrar (Judicial), Sri. Prabhathu Kumar B., Sri. Shibu Daniel and other Registrars, Sri. Joseph Rajesh, Sri. A. V. Pradeep Kumar and Sri. Devendra Kumar for their unwavering support.

Entire team of the Kerala Judicial Academy was maintaining a very cordial relationship with me. I express my gratitude to Sri. Sujith. K. N, Director, Sri. Krishnakumar, former Additional Director, Sri. John Varghese, Deputy Director and Ann Thania Alex, Assistant Director of the Academy.

I express my gratitude to Sri. Mohit. C.S, Member Secretary, KeLSA and Smt. Jubiya. A, Director, Kerala State Mediation and Conciliation Centre.

The Protocol Officer, Sri. R. Ashok and his team were very helpful whenever I



had to undertake a travel. The former Public Relations Officer, Sri.T.S.Arun and his team rendered selfless service and support to me. I express my sincere gratitude to them.

Only because of the unstinted support and dedication of my personal staff could I discharge my duties timely and comfortably. I thank my Private Secretary Sri. Dilip K.R., Personal Assistants, Smt.Philomina Vineetha, Smt.Soumya M.F., Court Officer Smt.Nini Davis, Listing Officer Smt.Parvathy S.Nair, and Research Assistant, Ms.Shilpa Sharon S.

Let me thank my former Escort Attendant Sri.Krishnakumar M.S., present Escort Assistant Sri. Vishnu Dev and the Office Attendant Smt. Vijayasree P.S. for their wholehearted support.

My Chauffeur Sri.Anilkumar T.R., was discharging his duties extremely well. He was so prompt and keen in taking care of even my personal affairs. Similar were my Personal Security Officers, Sri.Rafeek V.A. and Sri.Shyamkumar K.M. Let me thank each one of them.

Help and support rendered by my Sevaks Sri.Arjun T.A. and Smt.Jayasree T.D. and also my Part-Time Sweeper Smt.Leela K.P were unmatched. Like them my Residence Guards Sri.Jayakrishnan, Sri.Azeef, Sri.Arun and Sri.Melbin were also so sincere and loving. I express my gratitude to them.

I pray to the God Almighty that the Kerala High Court continues to shine as a beacon of justice, and may the people of Kerala find solace and support in its corridors.

Thank you all.

Jai Hind.

