

## **FAREWELL REFERENCE SPEECH OF JUSTICE** **ALEXANDER THOMAS**

*Dated: 25.08.2023*

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*Hon'ble the Chief Justice of this Court, Sri.Justice Ashish J Desai, my esteemed Sister and Brother Judges of this Court, distinguished former Judges of this Court who are present, learned Advocate General, Presidents of the Bar, Senior Bar and Women's Bar, Chairman of the Bar Council of Kerala, distinguished law officers of the State and the Union, esteemed members of the Bar and the Senior Bar, members of the Registry and the staff of this Court and its allied organizations, Advocate Clerks, my family members, Ladies and Gentlemen;*

Good afternoon to all,

**1.** I wish to convey my sincere gratitude for the kind and considerate words spoken about me by the Hon'ble Chief Justice, the Learned Advocate General as well as the President of the Bar. However, it would be unbecoming of me to leave without expressing my heartfelt appreciation to all of you.

**2.** On this significant occasion, I extend my gratitude to the Hon'ble Supreme Court Collegium, led by the then Chief Justice of the Supreme Court, Sri. Justice P. Sathasivam, and also to the High Court Collegium, comprising of the then Chief Justice, Dr. Manjula Chellur, Justice K.M. Joseph, and the late Justice Thottathil B. Radhakrishnan. Their decision provided me with the opportunity to assume this esteemed position. I would like to take a moment to pay homage to the memory of late Justice

Thottathil B. Radhakrishnan.

**3.** I want to begin by expressing my sincere thanks to our esteemed Chief Justice Ashish J Desai, as well as all the former Chief Justices who held the position during my time as a lawyer and a judge in this High Court. Your guidance, leadership, and unwavering support have been immensely valuable to me on a personal level.

**4.** It would be inappropriate if I do not express my sincere gratitude to all the former judges of this court, especially Justice K.G. Balakrishnan, Justice K.T. Thomas, Justice Chettur Sankaran Nair, Justice K.Sreedharan, Justice K.Sukumaran, Justice A.R. Lakshmanan, Justice Cyriac Joseph, Justice Kurien Joseph, Justice B.M. Thulasidas, Justice K.M. Joseph, Justice Hrishikesh Roy, Justice C.T. Ravikumar, Justice C.N. Ramachandran Nair, Justice P.R. Ramachandra Menon, Justice P.V. Asha, Justice V.K. Mohanan, Justice K. Vinod Chandran, Justice S.V. Bhatti, Justice Sunil Thomas, to name a few. I am constrained to omit several other names, as the list is very long and I may be pardoned for that. I am forever indebted to the encouragement and guidance all of you have generously provided me throughout these years.

**5.** I extend my heartfelt appreciation to my brother and sister judges. Your wisdom and camaraderie have been invaluable, shaping me not only as a judge but also as a person. It has been an honour to collaborate with such esteemed judicial minds.

**6.** I remember with gratitude Sri. Titus Mani, Advocate, Prof. N.S.Gopalakrishnan, Prof. K.N.Chandrashekharan Pillai as well as Dr.N.R.Madhava Menon, Sri. A.Mariarputham, Senior Advocate and Sri. K.Jayakumar, Senior Advocate, all of whom had shown me the path to the legal profession.

**7.** I remember with reverence my Senior, Late Shri. M.K. Damodaran, Former Advocate General of Kerala, under whom I had the privilege of being tutelage as a Junior in his Law Chambers and also to work later as Government Pleader and Senior Government Pleader in this Court. I am sure that he is now showering his blessings on me from above. Furthermore, I wish to convey my genuine appreciation and deep respect for both my Senior, junior, and peer colleagues who were part of the legal practice under the esteemed guidance of Sri. M.K. Damodaran. Concurrently, I respectfully honor the memory of my late senior colleagues, Sri.J.Jose and Sri. V.K.Raveendran. I also thankfully remember my former juniors, Sri. Surin George Eipe, Smt. Thanuja George and associates, Sri. Binny Thomas and Sri. P.A.Jacob in my erstwhile Law Chambers.

**8.** On this occasion, I would like to humbly pay homage to the memory of my departed family members, especially my late parents, Sri. A.K.Thomas and Saramma Thomas as well as my sister, Dr. Annie Jacob and her husband, Dr. K. Jacob and my parents-in-law, who, I believe, are all

watching and blessing me from their heavenly abode with love and affection.

**9.** I want to take a moment to express my heartfelt thanks to the pillars of my life. My dearest wife, Suma, your sacrifices and patience never went unnoticed, and I can honestly say that without you, I would not have achieved all that I have in my career. Thank you for standing by my side. To my sons, Kevin, Kenny and Kim and my loving daughter-in-law, Meera, you have brought so much joy, pride, and fulfilment to my life. Your achievements and successes, both big and small, have filled me with pride and happiness. I am grateful to God Almighty, for blessing me with such a loving family.

**10.** I specially thank all my personal staff for their aid and devotion to work, including my Personal Assistant, Smt. V.G. Deepa, my past and present court officers, Smt. M.B.Usha, Smt. Susan, Smt. Sudhy and Smt. Leena Bhaskara, Smt. Chitra B., my former research assistant, Sri. Adarsh R and all other past and present staff, like Smt. Nancy S.Dcruz, Smt. Meera Mohan, Smt. Supitha K.K., Smt. Bindu K Nair, Sri. Tintu, Sri. Vivek Chandran (Office Attendant), my Chauffeur, Sri. Jiffy Abraham as well as my personal security guards, Sri. Joseph Manual and Sri. Shajahan. Special mention and gratitude extends to my Private Secretary, Sri. K.Sivadas for his dedicated and valuable assistance, my office attendant, Sri. Joseph C.D., whose steadfast presence has shone as a guiding light,

illuminating my path since my days as an advocate in this Court as well as my present Research Assistant, Ms. Maria Paul, whose dedication and support in assisting me with my responsibilities has been admirable. Maria has secured admission for LLM in International Criminal Law in a leading University in the UK, where she will be fortunate to be taught by Prof. William A. Schabas, the globally renowned father of International Criminal Law Jurisprudence. I wish all success to her. Without the unwavering commitment and tireless work ethics of all my staff, I could not have discharged my duties effectively.

**11.** During my time in this esteemed Court, I have been honoured to collaborate with many Registrars, who have adorned this post during my tenure, including the former Registrar General, Sri. Jagadeesh, the present Registrar General, Sri. P. Krishna Kumar and other Registrars, as well as all the officers and staff members at the Registry. I sincerely appreciate the support and patience you have extended to me, and I am grateful for the opportunity to work alongside such an exceptional team. I would also like to extend my gratitude to Sri. Johny M. Sebastian, the former Director of the Kerala Mediation and Conciliation Centre as well as Sri. Joshy John, Secretary, KeLSA, for their unerring support and services. Special regards extends to the services rendered by the former protocol officer, Sri. Sreekumar, the P.R.O. Sri. T.S. Arun and the Protocol Officer, Sri. R. Ashok.

**12.** The Kerala High Court Advocates' Association holds a distinguished and prominent position within Kerala's legal realm. Comprising of a dedicated community of legal professionals, its membership has swelled to over 8000 individuals from across the state, establishing it as the largest Advocates' organization in the region. The Association serves as a central hub for advocacy, knowledge exchange, and fostering camaraderie among its members. It is with utmost respect that I acknowledge the remarkable support I have received from this illustrious bar. Your valuable insights, legal acumen, and willingness to engage in constructive dialogue have been invaluable to me, in arriving at just and fair decisions. I also extend my gratitude and regards to all the law officers of the State Government and the Central Government as well as the various Standing Counsels of various state and Central authorities, who have diligently appeared and assisted me in court throughout my tenure. As I move on to the next chapter of my life, I will cherish the memories and the friendships forged during my time here. While my physical presence may depart from these halls, my spirit shall forever remain intertwined with this Bar. To the young and passionate minds of the Bar, I offer my best wishes. The legal landscape is ever-evolving, and I encourage you to embrace every challenge as an opportunity to grow, learn, and make a lasting impact. As I step out from this position, I wish to leave you with the conviction that my own journey has reaffirmed the truth: it is not just the Bench, but the

members of the legal fraternity who are the high priests of law and the last bastion of democracy.

**13.** A Court is not merely a building; it is a beacon of hope, a sanctuary for the pursuit of truth, fairness, and the protection of rights. For the past three decades, the High Court of Kerala has been more than just a workplace; it has been my second home, a place where justice is being pursued with unwavering dedication. As dedicated members of this esteemed family, every judge and official within this institution are tirelessly working to enhance the High Court's operations. As I step out from my role as a judge of this Court, I wish to convey my sincere gratitude and immense pride for the transformative initiatives spearheaded by the various committees of this Court.

**14.** I may also take this opportunity to count the various blessings that the Divine Providence has bestowed on me. One such blessing given by the Divine Providence and Mother Earth, that I could greatly enjoy is the Mangalavanam Bird Sanctuary area, near to our High Court, where I make my regular morning walks. The abundant gifts of tranquility, serenity and fresh air that Mother Earth could bless me through Mangalavanam have never ceased to comfort me and infuse me with vitality. I am profoundly grateful to the Divine Providence and Mother Earth for providing Mount Agastyaarkoodam (which is believed to be the abode of Sage Agastya), Mount Maruthwamala (where Sree Narayana Guru has attained

enlightenment), and Mount Anaimudi (the tallest peak in South India), which I have been fortunate enough to ascend on occasions more than one. I am equally thankful for the enchanting Lake Sasthamcotta. These expeditions have enlarged my vistas and horizons of Ecosophy, the wisdom of Mother Earth.

**15.** Before parting, I would also like to flag a very serious issue of the agenda of future development of our High Court. As all of you are aware, we had shifted our High Court to this new building in 2006 and the State PWD authorities, after due consultations with the experts at the Indian Institute of Technology (IIT), Chennai, have informed that it is impossible for the vertical expansion of the existing High Court building. This stultifies the future development projects of the High Court. A consistent plea has been made by our High Court to the State Government authorities at the higher level, that the nearby land area of 17.73 acres, near to Mangalavanam, which is currently under the possession of the Kerala State Housing Board, be allotted to our High Court for impending expansion needs. The issues of eco-sensitive objections, pertaining to the above land, have now been overcome by the recent verdict of the Apex Court. The demand of the High Court for the above land area near to the Mangalavanam is fully justified, as there is no availability of other suitable vacant land in the proximity of the High Court. Recently, another objection has been raised, on behalf of



the Govt. Department concerned, that the aforesaid land, now under the possession of the Kerala State Housing Board, may have to be used for establishing an exhibition centre or such other commercial centre. It does not require any elaborate explanation that the needs of the judiciary, in carrying out its sovereign functions, would certainly, far outweigh the proposed requirements of any such commercial venture, which can easily be accommodated in other lands that may be allotted by the Government in other nearby areas in Ernakulam, like Kalamassery, Kakkanad, etc. Therefore, in my role as the Acting Chief Justice of this Court, I had written a DO letter to the Hon'ble Chief Minister, pointing out these vital aspects and has requested that the Hon'ble Chief Minister may intervene in the matter, so that the abovesaid land of 17.73 acres near to Mangalavanam area is allotted to the High Court for its immediate development requirements. It is also very heartening to note that in the Chief Justice – Chief Minister meeting, held on 24.09.2022, the Hon'ble Chief Minister has positively given an assurance that the proposal for allotment of the above land to the High Court will be considered. Recently, on being apprised of this vital requirement, our Hon'ble Chief Justice has proactively responded and as directed by his Lordship, the Hon'ble Chief Justice, Hon'ble Justice Muhamed Mustaque and myself have inspected the above land with the assistance of Revenue officers on 19.08.2023.

**16.** As all of you are aware, the infrastructural facilities now given to organisations, like the KELSA, Mediation Centre, etc., are highly inadequate, compared to the facilities given by the other States, particularly, other High Courts. Therefore, I would call upon the Hon'ble the Chief Justice, the members of the Administrative Committee of the High Court, the learned Advocate General and also all the learned members of the bar to immediately realise the gravity of the situation, so that all of you can jointly and collectively take up the matter with the Hon'ble Chief Minister for immediate action for allotment of the abovesaid land. I am sure that the Government would be fully alive to our concerns and would take a proactive and positive approach to meet the abovesaid vital requirements of our High Court.

**17.** Now, the ship has come to a halt, signalling my turn to step ashore at the harbour. A fresh adventure beckons me and the next ship eagerly awaits my embarkation. The juncture has emerged for you to carry on with this voyage in my absence and I entrust you with its continuation, with pride and confidence. Once more, I want to convey my deep appreciation for this remarkable expedition and the honour of partaking in it alongside all of you. I truly hope that the different journeys ahead, for both me and all of you, will be brimming with even more adventures and wonderful experiences. Farewell and onward to new horizons!

Bon Voyage!  
Jai Hind!