

THE TIMES OF INDIA

CJI initiates 'discreet' probe against Dinakaran

Dhananjay Mahapatra, TNN 3 October 2009, 02:46am IST

NEW DELHI: Chief Justice of India K G Balakrishnan has initiated an inquiry into allegations of illegal amassment of huge tracts of land by Karnataka High Court Chief Justice P D Dinakaran, whose name was recommended to the Centre by the Supreme Court Collegium for elevation as a judge of the SC.

This is the first time that an inquiry has been initiated against an HC CJ after the Collegium headed by the CJI recommended his elevation as a judge of the Supreme Court. Because of this reason, the CJI has not taken the formal inquiry route, that is setting up of a three-member panel generally employed to look into allegations against judges of the higher judiciary.

The CJI's own discrete inquiry would be two pronged -- one to look into allegations that Justice Dinakaran had acquired land much in excess of the ceiling in force under laws and second, whether it was through encroachment of public land.

Though there was no allegation against Justice Dinakaran when he was first appointed as a judge of the Madras High Court or later elevated as Chief Justice of Karnataka High Court, the CJI was forced to initiate the inquiry late in the day to address a general concern among the Bar, especially some eminent senior advocates.

The result of the inquiry would be placed before the Collegium, which would take a final view on the recommendation for elevation of Justice Dinakaran as a judge of the apex court, highly placed sources told TOI.

Till the completion of the inquiry and a final view by the Collegium, the proposal with regard to elevation of Justice Dinakaran to the SC would remain on hold, they said.

Last month, the Collegium had recommended the names of Justice Dinakaran, Madhya Pradesh HC CJ Justice A K Patnaik, Punjab and Haryana HC CJ T S Thakur, Calcutta HC CJ S S Nijjar and Gujarat HC CJ K S Radhakrishnan to the government for appointment as judges of the SC.

However, it was not clear what impact the controversy relating to Justice Dinakaran would have on other names sent in the recommendation. As the CJI has not sent any fresh communication to the government after last month's collegium recommendation, it was for the Centre to take a call whether to go ahead with the processing of other names or await the decision of the Collegium after completion of the inquiry against Justice Dinakaran.

The Karnataka CJ had personally assured the CJI that he had not "acquired even an inch of land"

after his appointment as an HC judge and termed the allegations as those made by vested interests.