



THE KERALA HIGH COURT ADVOCATES' ASSOCIATION

Reg. No. ER 931/2004

High Court Building, Kochi - 682 031. Ph : 2393244, Fax : 0484 - 2394435, Email : k.hcaa@yahoo.com

KHCAA/HC/185/2024

13 November 2024

To

The Hon'ble Chief Justice,
High Court of Kerala,
Ernakulam – 682031.

Sir,

SUB: Judicial integrity and presence of Judicial officers in WhatsApp Groups

1. The KHCAA was in receipt of a complaint from our member as regards the operation of a WhatsApp group by name "Lawyers News Network" in which it was pointed out that several sitting Judges of the High Court were part of that group along with advocates. This group was under watch and the KHCAA Annual Day 2024 and its aftermath gave us a clear picture of its 'clandestine' operations.
2. There are several WhatsApp groups run by advocates, but this was the only one where a few sitting Judges were a part of. Many of these Judges were a part of the same when they were advocates and it just so happened that they continued to be there, as they saw no harm in it. The sole 'admin' of the group is Adv. Mansoor B H.
3. The manner in which the group operated after the annual day event caught our attention. The KHCAA had information of violence planned by certain groups and the KHCAA had given a written request to the Kochi City Police Commissioner to provide enhanced security for the event which was



Y. S. Shenoy



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duly given. The entire event was organized peacefully. However, about 30 to 45 minutes after the curtains were down, three members created a ruckus by verbally abusing a senior member of the Association. These three thereafter tried to attack the people present and there was an altercation. The same was video recorded by a videographer who was not engaged by the KHCAA and this gives reasons for the KHCAA to believe that the act of these three members was pre planned. The KHCAA executive committee has today decided to suspend their membership and also refer them to the Bar Council of Kerala.

4. When all members were speaking about the well-organized Annual Day event, the admin of this WhatsApp group started a 'distorted and false' post about the violence and later the video of the isolated incident found its way to media and several news channels ran the video with a false and distorted version of the incident designed to malign the KHCAA, but in fact bringing down the reputation of advocates and the Judiciary itself.
5. The KHCAA inquiry led to the finding that many of the uninvited guests were there on the invitation from Mr.Mansoor. Many of these persons were part of the Lawyers News Network. In short, the Lawyers News Network was not just having advocates and judges as part of it, but other persons too. This led us to inquire further and what we saw was a startling network that was operating through this WhatsApp group.
6. The modus of the group was well planned and well organized because the members of the group included well respected senior advocates, advocates and sitting Judges of the High Court, sitting Judges of several Tribunals,

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retired judges, sitting judges of the District Judiciary, government pleaders and prosecutors etc. However, along with them and unknown to all of them, there were also present several media persons and unknown 'operatives'. **The face of this WhatsApp group were the unsuspecting reputed members, but behind them operated a well-oiled dirty network of 'fixers'.**

7. These 'fixers' operated on the sole strength of this WhatsApp group and advertising the presence of Judges of High Court, Tribunals, District Judiciary, Government Pleaders and prosecutors and ran their own dark world. No one showed the courage to oppose a handful of vociferous persons in the WhatsApp group and this gang of fixers had the reputation of carrying out 'character assassination' at will.
8. Once the KHCAA became aware of the operations, we made a request to the Judges of the High Court to exit the group and we believe all of them have exited it. However, there exists a few Judges of the Tribunals and the District Judiciary all of whom need to exit the group to ensure there is no damage to Judicial Integrity. We would like to believe that none of the Judges, Tribunal members and judicial officers were actively involved with this gang of 'fixers', but their mere presence in the group allowed this gang of 'fixers' to thrive and blossom.
9. Jim Morrison once famously said "Whoever controls the media, controls the mind". The false and distorted reporting of the 'isolated incident of violence' in the media was an inside game led by Mr.Mansoor with the able assistance of other media persons some of whom were present in the event.

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One, Mr.Subair, working with 'Madhyamam' was present in the venue. His phone number is 94478 10570. We have information of other media persons who are part of the group, some of whom can be pointed out but needs verification. Neetu (97461 99633), Mahir Haneef (9446510100), Rosamma (9846061041) Vimal (81292 76542), Balagopal (99104 50966), Siju (94474 16707), Jaimon (80860 22456), Joji James (81292 76542), K.S.Sudhi (94470 22377), Gopakumar (94477 27871). We are told that Mr.Mahir Haneef is the one who was the reason for the advocate-journalist fight. Even Ms.Hena (97475 58248) the liaison officer of KSRTC is a part of the group.

10.The members of various tribunals that are in the group include Justice (Retd) N.Anil Kumar (Lok Ayukta), Justice (Retd) Abdul Rahim (Chairman, KAT), Justice (Retd) Sunil Thomas (Judicial Member, CAT), Ms.Sreelatha (judicial member, KAT).

11.The presence of judicial officers of the District Judiciary is shocking. Some of the names that could be verified is Mr.Basheer, Mrs.Smitha George, Ms. Aaj Sudarshan, Mr.Jennie Stephan, Mr.N.Seshadrinathan, Ms.Viveeja. The presence of Ms.Viveeja raises eyebrows and shows that this group operated without any ethics. This Judge was reported for misconduct and when matters went out of hand, a gang of advocates misled by their leadership ended up sloganeering and abusing the Judge and all 28 advocates had to plead guilty to the charge of 'criminal contempt'. This Judge was quietly watching from the sidelines the reaction of the advocate community in the group. Mr.Mansoor's act was nothing short of treachery.

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12. The KHCAA was constrained to take a good hard look at this group only because of its capability to fan 'trouble'. The KHCAA is very worried about the recent events where violence raised its head. The KHCAA installed audio video cameras in all its premises the moment the first signs of violence raised its head. Even thereafter, there were incidents of violence and it did not flare up only because of the presence of the CCTV cameras. There is a disturbing trend in how this violence is perpetrated and this comes from the Government pleaders / prosecutors and/or persons trying to be a government pleader / prosecutor. The KHCAA would not like to brush all of them with one brush, because it is only a handful of them who are involved in such violence and the KHCAA is having audio video records of some of these incidents.

13. When the KHCAA welcomed you, the reference speech indicated its concern in the following words: "*The Judicial institution is the one place where the Pen is mightier than the sword. Might has no place in the Judicial institution. The theory of the survival of the fittest has no place in the Judicial institution and therefore, any act where might shows itself within the institution has to be nipped in the bud*".

14. The KHCAA has always considered challenging the appointment of Government Pleaders / Prosecutors who had indulged in violence to those posts because the precedents set by the Hon'ble Supreme Court do allow such a challenge because those appointments cannot merely be political appointments. State can never give incentive for violence and it can neither be encouraged nor tolerated.

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15. This WhatsApp group is known for publishing judgments and administrative orders even before it is uploaded in the official website. This Group also had the privilege of having published the photograph of a collegium recommendation. Unless complete control is not established with the Registry, such leaks are certain to happen. We need to take strict action to ensure the concerned officers are punished for any such leaks in the future.
16. We have passed on the several unknown numbers that had no profile picture or names to investigating agencies. This group has seen several exits and this case is an apt one to be referred to the Vigilance department for inquiry as it has no doubt hit at the heart of Judicial integrity. There is no reason why this mix of persons can be in a same WhatsApp group and why are these persons all members of only this WhatsApp group. When there are hundreds of WhatsApp groups run by advocates, when only one has a star-studded presence, it raises eyebrows and unnecessary corridor talks. The corridor talks are not heard loud because of the 'fear' of the 'normal' man to take on people they perceive to be 'powerful'.
17. Every act needs to be balanced on individual and collective levels. What looks fine individually will not be so when looked at collectively. Every Judge in the group would have found no harm in being a part of a WhatsApp group. But collectively, the group had several judges, government pleaders, tribunal members etc which gave this one group an advantage that no other group had. The group itself became an elite group which everyone wanted to be a part of.

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18. The KHCAA humbly requests your goodself to set up an inquiry by the vigilance department of the High Court and to satisfy itself that there is no harm done to the Judicial institution. We also request your goodself to give strict directions to the judicial officers of the district judiciary to keep themselves away from such groups.
19. The Lawyers News Network is the greatest example where a large majority of unsuspecting persons with great reputation were taken for a ride by a handful of operators without them even having knowledge of the fact that they were being used only as a front end while dirty work was going on in the back end. This group existed for a decade and no one had the courage to call it out and this fact alone tells us a story of fear.
20. The KHCAA is considering taking up the matter with the Chief Justice of India because this case is apt one to pursue the full court of the Hon'ble Supreme Court to take a good relook at the Restatement of Values of Judicial Lives. The KHCAA strives to ensure a fair playing field for all advocates and every advocate being treated equally.
21. The KHCAA believes that your goodself will act swiftly and ensure corrective action will be promptly undertaken.



Sincerely,

Adv. Yeshwanth Shenoy

President