

A STUDY ON DUTIES TO COURT

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Abstract

An lawyer's obligations need aid not conveyed out in a vacuum. Same time confronting budgetary and aggressive pressures, lawyers must satisfy Also equalisation their obligations of the client, contradicting counsel, the organization of Equity Also the public arena. In place should encourage exchange inside the calling and, ultimately, provide exactly direction to professionals on the theme of a lawyer's obligation of the court Furthermore possibility clashes An legal counsellor might recognise in regards to this duty, this paper is partitioned under three principle areas. Those 1st segment addresses the inquiry from claiming the reason a lawyer's obligation of the court matters. Those area examines the huge numbers elements that identify with those obligation of the court What's more strike toward those heart of a lawyer's part vis-à-vis customers and the open investment. On the topic "Duty to court " ,from we can able know about the rules and regulations which should be followed by the advocates and as well as by the Client.what are duties of the court and its importance in day today life and its essentials .there are several duties which is must, like behaviour, speech, conduct. There are differences rules and duties which should be followed by different courts like in district court, high court, Supreme Court. I am here to do my research paper as doctoral research paper, there are few new rules which should be followed by all citizens in India. An advocate need follow the rules which had been said by the court and the legislation. advocate need to be clam and true for the court and the clients.

INTRODUCTION

An lawyer's obligation of the court will be an essential commitment that characterises An lawyer's part inside those adversarial framework. However, An lawyer's obligations need aid not conveyed out in a vacuum. Same time confronting budgetary and aggressive pressures, lawyers must satisfy Also equalisation their obligations of the client, contradicting counsel, the organization of Equity Also the public arena. In place should encourage exchange inside the calling and, ultimately, provide exactly direction to professionals on the theme of a lawyer's obligation of the court Furthermore possibility clashes An legal counsellor might recognise in regards to this duty, this paper is partitioned under three principle areas. Those 1st segment addresses the inquiry from claiming the reason a lawyer's obligation of the court matters. Those area examines the huge numbers elements that identify with those obligation of the court What's more strike toward those heart of a lawyer's part vis-à-vis customers and the open investment. The second segment for this paper sets crazy the three key obligations of the court, which are:

- (1) to utilise strategies that are legal, fair Furthermore aware on courts What's more tribunals;.
- (2) with one gesture for integument Furthermore professionalism, same time keeping up as much alternately her. Overarching obligation to guarantee common conduct; and,
- (3) should teach customers over those court forms within the interest about pushing the. Public's certainty in the organization of Equity.

So as should show these obligations and the outcomes for their infringement, An amount from claiming cases starting with case law and disciplinary board choices are examined. Those third segment for this paper addresses if An lawyer's obligation of the court may be fundamental over as much alternately her different obligations. Finally, the paper likewise holds way examples to dialog on the clash the middle of different obligations of a legal advisor.

AS AN ADVOCATE, DUTY TO COURT:

1. Act in a dignified manner.
2. Respect the court.
3. Not communicate in private.
4. Refuse to act in an illegal manner towards the opposition.
5. Refuse to represent the client who insists of unfair means.

6. Appear in proper dress code.
7. Not wear bands or gowns in public places.

High Court of Judicature at Madras:

The judicature of Judicature at Madras, one in all the 3 High Courts in Asian country established at the Presidency cities by patent granted by Her impressiveness Victoria, bearing date twenty sixth Gregorian calendar month 1862, is that the highest Court within the State of province, effort Original Jurisdiction over the town of Madras and appellant Jurisdiction over the complete State similarly as extra-ordinary Original Jurisdiction, Civil and Criminal, beneath the patent and Special Original Jurisdiction for the difficulty of writs beneath the Constitution of Asian country.

The Hon'ble The jurist is that the Head of the Judiciary with powers of administration of the judicature and of the Administration of Justice throughout the State. The Hon'ble jurist is answerable of the overall policy adopted within the Administration of Justice. additionally to the jurist, there are fifty four Hon'ble Judges in Madras judicature. The administration of Justice within the Civil and Criminal Courts within the districts implanted beneath the Civil Courts Act and also the Code of Criminal Procedure severally is carried on by the subsequent classes of Judicial officers.

Civil

- a) District Judges.
- b) Subordinate Judges
- c) District Munsifs

Criminal

- a) Sessions Judges
- b) Chief Judicial Magistrates
- c) Assistant Sessions Judges
- d) Judicial Magistrates

ADVOCATES ACT, 1961

An Act to amend and consolidate the law relating to legal practitioners and to provide for the constitution of the Bar Councils and an All-India Bar.

Be it enacted by Parliament in the Twelfth Year of the Republic of India.

RULES ON AN ADVOCATE'S DUTY TOWARDS THE COURT:

1. Act in a dignified manner

During the presentation of his case and conjointly whereas acting before a court, associate degree advocate ought to act in an exceedingly dignified manner. He ought to in the least times conduct himself with self-esteem. However, whenever there's correct ground for serious criticism against a judicial officer, the advocate includes a right and duty to submit his grievance to correct authorities.

2. Respect the court

An advocate should show respect towards the court. associate degree advocate needs to bear in mind that the dignity and respect maintained towards judicial workplace is important for the survival of a free community.

3. Not communicate in private

An advocate shouldn't communicate privately to a choose with relation to any matter unfinished before the choose or the other choose. associate degree advocate shouldn't influence the choice of a court in any matter mistreatment smuggled or improper means that like coercion, bribe etc.

4. Refuse to act in an illegal manner towards the opposition

An advocate ought to refuse to act in associate degree smuggled or improper manner towards the opposing counsel or the opposing parties. He shall conjointly use his best efforts to restrain and stop his consumer from acting in any smuggled, improper manner or use unfair practices in any mom towards the judiciary, opposing counsel or the opposing parties.

5. Refuse to represent clients who insist on unfair means

An advocate shall refuse to represent any consumer WHO insists on mistreatment unfair or improper means that. associate degree advocate shall excise his own judgment in such matters. He shall not blindly follow the directions of the consumer. He shall be dignified in use of his language in correspondence and through arguments in court. He shall not scandalously harm the name of the parties on false grounds throughout pleadings. He shall not use unparliamentary language throughout arguments within the court.

6. appear in proper codification

An advocate ought to seem in court in the least times solely within the dress prescribed below the Bar Council of Asian nation Rules and his look should be respectable.

7. Refuse to appear before of relations

An advocate shouldn't enter look, act, plead or apply in any manner before a judicial authority if the only real or any member of the bench is said to the advocate as father, grandparent, son, grandson, uncle, brother, nephew, cousin, husband, wife, mother, daughter, sister, aunt, niece, in-law, relative-in-law, son-in-law, in-law in-law or relative-in-law.

8. not to wear bands or gowns publicly places

An advocate shouldn't wear bands or robes public-ally places aside from in courts, except on such ceremonial occasions and at such places because the Bar Council of Asian nation or because the court might dictate.

9. Not represent establishments of which he is a member

An advocate shouldn't seem in or before any judicial authority, for or against any institution if he's a member of the management of the institution. This rule doesn't apply to a member showing as "amicus curiae" or while not a fee on behalf of the Bar Council, Incorporated Law Society or a Bar Association.

10. Not appear in matters of pecuniary interest

An advocate shouldn't act or plead in any matter within which he has money interests. as an example, he shouldn't act in an exceedingly bankruptcy petition once he's conjointly a soul of the bankrupt. He ought to conjointly not settle for a quick from an organization of that he's a Director.

11. Not stand as surety for client

An advocate shouldn't stand as a surety, or certify the soundness of a surety that his consumer needs for the aim of any legal proceedings.

SUGGESTIONS

These are various rule and regulations which must be followed by the advocates. And if these rules are have been misused , the Bar Council of India/bar council of state will cancel their names who is fail to follow it or who misused its power in public places.

CONCLUSION

A lawyer, per Black's Law wordbook, is "a person learned within the law; as associate degree professional, counsel or solicitor; an individual licensed to follow law." The profession of law is termed a noble profession. It doesn't stay noble simply by line of work it intrinsically unless there's a continued , corresponding and expected performance of a noble profession. Its nobility should be preserved, protected and promoted. an establishment cannot survive in its name or on its past glory alone. The glory and greatness of an establishment depends on its continued and important performance with grace and dignity. The profession of law being noble and honourable one, it's to continue its important, helpful and purposeful performance impressed by and keeping visible the high and made traditions in keeping with its grace, dignity, utility and status. thus the provisions of the Advocates Act and Rules created there below repose alia aimed toward to attain identical have to be compelled to tend result to within their true spirit and letter to take care of clean and economical Bar in the country to serve explanation for justice that once more is noble one.

Reference

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