

Reference made by
Hon'ble the Chief Justice of India Shri Justice N.V. Ramana
on the 6th of December, 2021
in the memory of
Late Shri Justice Mohan M. Shantanagoudar
Sitting Judge, Supreme Court of India

- 1.** My Brother and Sister Judges, learned Attorney General Shri K.K. Venugopal, learned Solicitor General Shri Tushar Mehta, learned law officers, Shri Vikas Singh, President, Supreme Court Bar Association, Shri Shivaji M. Jadhav, President, Supreme Court Advocates-on-Record Association, Members of the Bar, Family members of late Shri Justice Mohan M. Shantanagoudar, ladies and gentlemen.
- 2.** We have assembled here this morning to pay homage to a distinguished colleague- Shri Justice Mohan M. Shantanagoudar, who passed away late in the night on 24th April, 2021. I never thought that I would have to condole the death of one of my most valued colleagues. His sudden death is a great loss to the Supreme Court. In losing him, the country has lost a common man's judge. I have personally lost a most cherished friend and a valuable colleague.
- 3.** Justice Shantanagoudar was born on 5th May, 1958 in Karnataka. Brother Shantanagoudar's father had been an advocate in Dharwad with immense experience. Following in the footsteps of his father, after completing his B.Sc., Brother Shantanagoudar decided to pursue law from Karnataka University, Dharwad.
- 4.** He enrolled as an Advocate on 5th September, 1980, and practiced in Dharwad for one year in the Chambers of I.G. Hiregondar and then shifted to Bengaluru. He started practise in the High Court of Karnataka at Bengaluru in 1981 by joining the Chambers of Shri Shivaraj Patil, who later became a Judge of this Court. In 1984, Justice Shantanagoudar started his independent practice and mainly focused on Civil, Criminal and Writ matters. He was the Legal Advisor/Panel Advocate to various educational institutions, local bodies and co-operative societies.
- 5.** He was a member of the Karnataka State Bar Council from 1989 to 2000 and held the positions of Vice Chairman and Chairman for some time.
- 6.** He was also a member of the Karnataka State Legal Aid Board, and an Executive Committee Member of the National Law School of India University Bengaluru.
- 7.** He served as the State Public Prosecutor of Karnataka from 1999 to 2002 and defended the State in many sensational criminal appeals. He appeared on behalf of Tamil Nadu in the Karnataka High Court from 1999 to 2002.

- 8.** He was appointed as an Additional Judge of the Karnataka High Court on 12th May, 2003 and was sworn in as a Permanent Judge on 24th September, 2004. He was also the President of the Bangalore Mediation Centre and Karnataka Judicial Academy.
- 9.** On transfer to the High Court of Kerala, he assumed charge as the Acting Chief Justice on 1st August, 2016. He was sworn in as the Chief Justice of Kerala High Court on 1st January, 2016.
- 10.** Justice Shantanagoudar was elevated as a Judge, Supreme Court of India on 17th February, 2017.
- 11.** His contribution to the jurisprudence of the nation is indisputable. All of you are already aware about his judgments, and I do not want to elaborately discuss them. *Amitabha Dasgupta v. United Bank of India, Nandan Biomatrix Ltd. v. Ambika Devi and Krishna Lal Chawla v. State of UP* are some of his important judgments, to name a few.
- 12.** His judgments provide a deep insight into his thought process- his years of experience, his knowledge and his unending wisdom. His judgments showed simplicity, abundant common sense, and a practical approach. He was always concerned about social equality, and the rights and liberties of the people.
- 13.** I sat with him on the Bench for about a year and a half. His legal acumen, immense preparation, his kindness and generosity of spirit was always apparent. We grew very close over that period.
- 14.** One thing that stood out about Brother Shantanagoudar was his sense of humour and his infectious laugh. I think all of you would remember how he could make the Court feel comfortable and reduce tensions. Brother Shantanagoudar was always very encouraging to young lawyers, law clerks and interns. He was always willing to give guidance and support.
- 15.** Over the last year, although his health took a turn for the worse and he grew very weak, he continued to sit on the bench, hear cases and write judgments. He never showed people the extent of his illness. He was built from a different fibre. His immense grace, strength of character and commitment to his judicial duty were inspiring.
- 16.** Brother and Sister Judges and I share the feelings of all those who have gathered here in expressing our heartfelt condolences to the members of the bereaved family. May the Almighty give them strength to bear the great loss and overcome the grief.
- 17.** May the departed soul rest in eternal peace.
