

**PRINCIPAL DISTRICT COURT, SALEM**

**CIRCULAR REGARDING PHYSICAL FILING / HEARING OF CASES FROM 23.04.2021**

**Dated the 21<sup>st</sup> day of April 2021.**

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Ref: Hon'ble High Court's Official Memorandum in  
Roc.No.1363/2020/RG/Sub.Courts, Dated:15.04.2021.

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In view of the Hon'ble High Court's Official Memorandum in the reference cited, the following instructions are issued for the physical filing of the cases in Salem District with effect from 23.04.2021.

**DISTRICT COURTS:**

1. Filing of Civil Cases physically before the centralized filing counter is stopped from 23.04.2021. Physical filing of all cases is permitted only through Drop Box near Centralized filing Center.
2. All the Sessions Cases in Sessions Courts and First hearing cases in Civil matters will be heard through physical hearing.
3. Physical hearing of cases is permitted through Drop Box meant for Batta, Counter and written statement cases placed near the Centralized filing center and if both sides on these cases are ready and willing to proceed with the case through physical hearing, they are required to file a "Joint memo" into the Drop Box with their convenient time and date, at least **Three days** in advance and also they have to mention their option of presence either by physical hearing or through video conference in the Joint Memo itself.

In such cases, the concerned court, if it is found convenient with the time schedule will issue necessary order with date and time for entering into the court to both the side advocates as well as to the witness and also it will be published through online.

4. In respect of Civil Cases, after verifying the plaint, appeal etc., if it is found in order, the same will be numbered. Otherwise, it will be returned through "Return Box" proposed to be placed near Centralized filing center. The return papers can be taken by the concerned Advocate by acknowledging the same in the "Return Register" maintained by a staff of the Court near Centralized Filing Center.
5. Filing of Bail Applications – Advocates and parties are instructed to file duly stamped bail applications in the Drop Box meant for "Principal Sessions Court – Bail Applications" placed near the Centralized Filing Center. The Bail applications taken on file will be heard only through Video Conference.

6. In case of filing of emergent civil cases, the preference of the Advocate on record is to be mentioned in it, as to whether it is to be heard through Video Conferencing system or by way of physical hearing. In case, if such fresh suits/appeals are required for physical hearing at the request of the Advocate on record will be permitted for entering into the Court.

7. Copy Applications relating to all Courts can be presented in the Drop Box and ready copies will be delivered by the Copy Section near Centralized Filing Center.

8. The Bail order copies will be sent to the concerned Magistrate through e-Mail. The Magistrates are directed to act on the basis of the bail order copy without insisting for copy of the bail order.

**FAMILY COURTS:**

1. Physical filing of cases is permitted through Drop Box meant for "Family Court" placed near the Centralized Filing Center. The papers will be scrutinized and proceeded accordingly by the court concerned.

2. Parties / Advocates inline with Maintenance cases shall be allowed based on the Cause list which will be uploaded in website.

3. If physical appearance is necessary or prayed for to proceed further, the counsels are required to file a Joint Memo into the "Drop Box" with their convenient date and time, atleast three days in advance. In such cases, the concerned Court, if it is found convenient with the time schedule, will issue necessary order with date and time for entering into the court to both side Advocates as well as to the witness. The case number, date and time will be published through online.

**SPECIAL COURTS:**

1. In respect of Special Courts such as Special Court for E.C. Act & N.D.P.S. Act Cases, POCSO Act Cases, Mahila Court, Labour Court and Special Court for cases under Prevention of Corruption Act, the physical filing of cases and Bail applications are permitted through Drop Box meant for respective Courts will be placed a Drop Box near the Centralized Filing Center to be filed into the said courts.

2. In respect of the pending cases will be heard through physical hearing.

**SUBORDINATE COURTS AND DISTRICT MUNSIF COURTS:**

1. All the Sessions Cases in Assistant Sessions Courts and First hearing cases in Civil matters will be heard through physical hearing.

2. Physical hearing of cases is permitted through Drop Box meant for Batta, Counter and written statement cases placed near the Centralized filing center and if both sides on these cases are ready and willing to proceed with the case through physical hearing, they are required to file a "Joint memo" into the Drop Box with their convenient time and date, at least **Three days** in advance and also they have to mention their option of presence either by physical hearing or through video conference in the Joint Memo itself.

In such cases, the concerned court, if it is found convenient with the time schedule will issue necessary order with date and time for entering into the court to both the side advocates as well as to the witness and also it will be published through online.

3. In respect of Civil Cases, after verifying the plaint, appeal etc., if it is found in order, the same will be numbered. Otherwise, it will be returned through "Return Box" proposed to be placed near Centralized filing center. The return papers can be taken by the concerned Advocate by acknowledging the same in the "Return Register" maintained by a staff of the Court near Centralized Filing Center.

**JUDICIAL MAGISTRATE COURTS:**

1. The physical filing of Bail Applications is suspended from 23.04.2021. Instead, Advocates and parties are instructed to file bail applications in the Drop Box placed near the Centralized Filing Center. Likewise, the physical filing of all other criminal case papers and furnishing sureties are permitted to be filed in the Drop Box placed as mentioned above.

2. The entry to the court is governed by the concerned courts considering the nature of inquiry and the need of presence of the parties. In required cases, the concerned court will issue necessary order with date and time for entry of Advocates, Parties and witness into that court, to avoid crowd in the courts.

**GENERAL INSTRUCTIONS:**

1. Status i.e. numbering or return of the cases filed through Drop Box will be notified in the website <https://districts.ecourts.gov.in/salem>

2. Entry of the Advocates and party will be allowed inside the Court only after adjournment of the present case.

3. Apart from the Physical hearing, the advocates are at liberty to proceed with the cases even through Video Conferencing System as per prevailing procedure.


4. Advocates should insist on giving pass to the litigants with the case particulars for attending cases on their concerned including Sessions Cases.

5. Gate No.2 is provided for entry of all the Advocates, Gate No.3 is for the Judicial Officers and Court Staffs and Gate No.4 is provided for the litigants.

6. The Advocates / Parties / Witnesses, who are given permission to enter into the Court premises, are required to follow all the safety instructions issued by the Government of Tamil Nadu relating to Covid 19. No person will be permitted to enter into the Court premises without Mask. Entry is subject to Thermal Scan at the Gate.
7. The Advocates / Parties / Witnesses, who enter into the Court premises shall utilize the hand sanitizer before entering the court hall.
8. The Advocates / Parties / Witnesses shall leave the Court Premises as and when their work in the said Court is completed. After their work, Wandering and Gathering in the Court premises is strictly prohibited during this pandemic situation.
9. The Advocates while attending Video Conference on Bail application, they should not roam inside the Court Premises.
10. The members of bar are required to check the Petitions, Plaints with reference to the Signature, Court fee and documents filed before dropping the paper in the drop box in order to avoid return and delay.

**TIMING FOR DROP BOX AND FOR RETURN IS FROM 10.30 A.M TO 01.30 P.M. ON  
ALL WORKING DAYS**

The above instructions are to be followed scrupulously in order to ensure better functioning of all Courts in Salem District, without compromising on the COVID Protocol.

  
31.04.2021  
Principal District Judge,  
Salem

To

1. All the Judicial Officers in Salem District.
2. All the Bar Associations in Salem District.(through E-mail).

**Copy to:-**

The Court Manager, Sherishtadar, Sherishtadar (Admin/Judicial), Head Clerk, Central Nazir, Copyist Superintendent, Record Keeper, Official Receiver, System Analyst, District Court, Salem.

D.No. 5029  
21/4/2021