



ஆளுநர்களுக்கு கடிவாளம் - உச்சநீதிமன்றத் தீர்ப்புக்கு முன்னணி நாளிதழ்கள் வரவேற்பு!

சென்னை, ஏப். 10 -

தமிழ்நாடு ஆளுநர் ஆர்.என். ரவியின் செயல்பாட்டுக்கு எதிரான வழக்கில், உச்சநீதிமன்றம் அளித்த தீர்ப்பை வரவேற்று முன்னணி ஆங்கில நாளிதழ்கள் சிறப்புக் கட்டுரை வெளியிட்டுள்ளன. உச்ச நீதிமன்றத் தீர்ப்பு, மக்களால் தேர்ந்தெடுக்கப்பட்ட அரசாங்கத்தின் முக்கியத்துவத்தை உணர்த்துவதாக முன்னணி ஆங்கில நாள்களின் குறிப்பிட்டுள்ளன.

இது பற்றிய விவரம் வருமாறு :-

ஆளுநர் ஆர்.என்.ரவியின் செயல்பாட்டுக்கு எதிராக தமிழ்நாடு அரசு தொடர்ந்த வழக்கினை விசாரித்த உச்ச நீதிமன்றம், தமிழ்நாடு அரசின் மசோதாக்களை நிறுத்திவைத்த ஆளுநரின் செயல் சட்டவிரோதம் என கண்டனம் தெரிவித்தது. ஆளுநரால் நிறுத்திவைக்கப்பட்ட தமிழ்நாடு அரசின் 10 மசோதாக்களுக்கும் சிறப்பு அதிகாரத்தைப் பயன்படுத்தி உச்சநீதிமன்றமே ஒப்புதல் அளித்து தீர்ப்பு வழங்கியது. ஆளுநருக்கு வீட்டோ அதிகாரம் இல்லை என்றும் உச்சநீதிமன்றம் தனது தீர்ப்பில் குறிப்பிட்டுள்ளது. சட்டப்பேரவையில் நிறைவேற்றி அனுப்பிவைக்கப்படும் மசோதாக்கள் மீது முடிவு எடுக்க ஒரு மாதம் முதல் 3 மாதங்கள் வரை காலக்கெடு நிர்ணயித்தும் உச்சநீதிமன்றம் அதிரடி தீர்ப்பினை வழங்கியது. தமிழ்நாடுமட்டுமன்றி, இந்தியா முழுமைக்கும் அனைத்து மாநில ஆளுநர்களுக்கும் பொருந்தக்கூடிய வரலாற்றுச் சிறப்புமிக்க இந்த தீர்ப்பை பல்வேறு தரப்பினரும் வரவேற்றுள்ளனர்.

உச்சநீதிமன்றம் அளித்த தீர்ப்பை வரவேற்று முன்னணி ஆங்கில நாளிதழ்கள் சிறப்புக் கட்டுரை வெளியிட்டுள்ளன.

நியூ இந்தியன் எக்ஸ்பிரஸ் நாளிதழ் வெளியிட்டுள்ள செய்தியில், தமிழ்நாடு ஆளுநர் ஆர்.என். ரவி மீதான உச்ச நீதிமன்றத்தின் தீர்ப்பு, கூட்டாட்சி தத்துவத்தை நிலை நிறுத்துவதாக அமைந்துள்ளது என்று குறிப்பிட்டுள்ளது. மசோதாக்கள் மீது முடிவு எடுக்க காலக்கெடு நிர்ணயித்து உச்சநீதிமன்றம் தீர்ப்பு வழங்கியிருப்பது வரவேற்கத்தக்கது என்றும், ஆளுநருக்கு வீட்டோ அதிகாரம் இல்லை என்பதையும் உச்சநீதிமன்றம் தனது தீர்ப்பில் தெளிவுபடுத்தியிருப்பதாகவும் தெரிவித்துள்ளது.

மசோதாக்களுக்கு ஒப்புதல் அளிப்பது தொடர்பாக, அதி காரங்களை வரையறுக்கும் அரசியல் சாசன பிரிவு 200 ன் வழிகாட்டுதல்களை, ஆளுநர் கடைப்பிடிக்க வேண்டும் என நீதிமன்றம் அடிக்கோடிட்டுக் காட்டியுள்ளதாகவும் **நியூ இந்தியன் எக்ஸ்பிரஸ்** நாளிதழ் தெரிவித்துள்ளது.

தமிழ்நாடு ஆளுநர் மீதான உச்சநீதிமன்றத்தின் தீர்ப்பு, அனைத்து மாநில ஆளுநர்களுக்கும் பொருந்தும் என்றும், அரசியல் ஆதாயத்திற்காக, மக்களின் விருப்பத்திற்கு தடையாக இருக்கக்கூடாது என்பதில், ஆளுநர் விழிப்புடன் இருக்க வேண்டும் என உச்சநீதிமன்றம் கூறியிருப்பதையும் **டைம்ஸ் ஆஃப் இந்தியா** சுட்டிக்காட்டியுள்ளது.

ஆளுநர் என்பவர், மாநில அரசின் நண்பராகவும், வழிகாட்டியாகவும் இருக்க வேண்டுமே தவிர, அரசியல்

காரணங்களால் அரசியலமைப்புக்கு மாறாக செயல்படக் கூடாது என உச்சநீதிமன்றம் தெரிவித்திருப்பதாக **THE TRIBUNE** பத்திரிகை செய்தி வெளியிட்டுள்ளது. எதிர்க்கட்சிகள் ஆளும் மாநிலங்களில் அரசு செயல்பாட்டுக்கு இடையூறு ஏற்படுத்தும் வகையில் ஆளுநர்களுக்கு முழு அதிகாரம் வழங்குவதை ஒன்றிய அரசு இனியாவது தவிர்ப்பது நல்லது என்றும் அப்பத்திரிகை சுட்டிக்காட்டியுள்ளது.

மக்களால் தேர்ந்தெடுக்கப்பட்ட அரசு, சட்டப்பேரவையில் நிறைவேற்றி அனுப்பும் மசோதாக்களுக்கு ஆளுநர் கையெழுத்திடாமல் போக்குகாட்டுவது சரியல்ல என்று உச்சநீதிமன்றம் தனது தீர்ப்பில் குறிப்பிட்டுள்ளதை **DECCAN CHRONICLE** சுட்டிக்காட்டியுள்ளது.

ஆளுநரின் அதிகாரம் என்ன என்பதை உச்சநீதிமன்றம் தெளிவாக குறிப்பிட்டு வழங்கியிருக்கின்ற இந்த தீர்ப்பு ஜனநாயகத்தை வலுப்படுத்தக்கூடிய தீர்ப்பு என்றும், ஆளுநர் மீதான உச்சநீதிமன்றத்தின் தீர்ப்பு கூட்டாட்சி தத்துவத்தை வலுப்படுத்துவதில் ஒரு மைல்கல் என்றும், தமிழ்நாடு ஆளுநரின் நடவடிக்கை குறித்த உச்சநீதிமன்றத் தீர்ப்பு, தேர்ந்தெடுக்கப்பட்ட அரசாங்கத்தின் முக்கியத்துவத்தை உணர்த்துவதாக **DECCAN HERALD** குறிப்பிட்டுள்ளது.

ஆளுநர் பதவியில் இருப்பவர்கள், மக்களால் தேர்ந்தெடுக்கப்பட்ட மாநில அரசை மதித்து செயல்பட வேண்டும் என்பதை உச்சநீதிமன்றம் உறுதி செய்திருப்பதாக **THE ECONOMIC TIMES** செய்தி வெளியிட்டுள்ளது.

ஆளுநர்களுக்கு வீட்டோ அதிகாரம் இல்லை என்பதையும் உச்சநீதிமன்றம் தனது தீர்ப்பில் தெளிவாக குறிப்பிட்டுள்ளது - முன்னணி ஆங்கில நாளிதழ்கள்!

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Aside TN Governor's ruling assent to Bills

Why ruling stands out: Sparingly used powers invoked, strong message sent

APURVA VISHWANATH
NEW DELHI, APRIL 8

BY EXERCISING its extraordinary powers to virtually grant assent to 10 Bills that were pending with Tamil Nadu Governor R N Ravi, the Supreme Court sent a strong signal Tuesday, expressing its displeasure with the actions of the Raj Bhavan. The bench of Justices J B Pardiwala and R Mahadevan invoked Article 142 to take over the role vested with the Governor in the lawmaking process. The extraordinary power to pass orders in the Governor's name is a "complete justice" is sparingly used by the Court, especially when it involves other Constitutional authorities. The Court has also redrawn the contours of the Governor's powers by prescribing a one-month time limit for the Governor to exercise his powers. The Court has also pronounced its order on its petition against Governor R N Ravi, Tamil Nadu Chief Minister and DMK chief M K Stalin told the Assembly. "A few moments ago, our government received a historic judgment from the Supreme Court... This order is not only for Tamil Nadu, but a huge victory for all the states in India." He also called it a vindication of federalism, the autonomy of states and Dravidian politics. "The fight for state autonomy CONTINUED ON PAGE 2"

ARUN JANARDHANAN & SHAJU PHILIP
CHENNAI, THURSDAY, APRIL 8

OPPOSITION PARTIES joined the DMK Tuesday in welcoming the Supreme Court verdict holding that prolonged inaction of Governors on Bills passed by the state Assembly was erroneous and illegal. Moments after the apex court pronounced its order on its petition against Governor R N Ravi, Tamil Nadu Chief Minister and DMK chief M K Stalin told the Assembly. "A few moments ago, our government received a historic judgment from the Supreme Court... This order is not only for Tamil Nadu, but a huge victory for all the states in India." He also called it a vindication of federalism, the autonomy of states and Dravidian politics. "The fight for state autonomy CONTINUED ON PAGE 2"

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INDIAN EXPRESS IS NOT AN INDUSTRY. IT IS A MISSION.

— Ramnath Goenka

LANDMARK SC RULING ON TAMIL NADU GUV UPHOLDS FEDERAL SPIRIT

A severe reprimand of Tamil Nadu Governor R N Ravi, the Supreme Court has set aside his decision to withhold assent to 10 bills he was sitting on for years, their re-enactment by the state assembly notwithstanding, as illegal and erroneous. The landmark verdict nullified any decision the president might have taken on the bills after he escalated them post their re-consideration by the legislature. The court was cross as he flouted the principle laid down by a different bench in the Punjab governor case, which said those in gubernatorial positions do not have a veto on bills by squatting on them. Instead of falling in line, Ravi sent the Tamil Nadu legislations to the president. Some of those bills sought to take away the powers of the

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FOUNDED BY
RAMNATH GOENKA

BECAUSE THE TRUTH INVOLVES US ALL

RAJ BHAVAN GUARDRAIL

In holding Tamil Nadu governor's 'pocket veto' to be illegal, and setting deadlines to act on bills, SC has set welcome precedent

IN A DECISION that will reshape the relationship between the government and Raj Bhavan in states across the country, the Supreme Court on Tuesday came down heavily on Tamil Nadu Governor R N Ravi's undue delaying of bills passed by the state legislature, describing a virtual "pocket veto" as "illegal" and "erroneous". The ruling in *The State of Tamil Nadu vs The Governor of Tamil Nadu* reiterates a basic democratic principle: The will of the people, as expressed through the legislature and elected government, must be respected. At a time when a dismal pattern has emerged in non-BJP ruled states, of tussle between governor and government, the Court has set a welcome precedent. It has ruled that the office of the governor, even as it remains constitutionally significant, cannot be a parallel centre of power.

This is not the first time the Court has cautioned governors against overreach. In 2023, in *State of Punjab vs Principal Secretary to Punjab Governor*, the Court had held that governors are bound to act in a timely manner on bills passed by the elected legislature and that withholding assent without justifiable cause undermines the will of the people. In 2023, days after the Supreme Court had raised serious concerns over inaction by governors, Ravi had returned 10 pending bills that were passed by the state legislature. These dealt with a range of issues, including measures to address corruption, public appointments and

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CONTRAPUNTO

The shelf life of the average trade book is somewhere between milk and yogurt

— CALVIN TRILLIN

Raving No More

SC ruling on TN gov applies to gubs in all oppn ruled states. It removes a constitutional ambiguity

Governors in opposition-run states can't be a law unto themselves. SC made this abundantly clear with a strongly-worded judgment against Tamil Nadu governor R N Ravi on Tuesday. Though, has been here before. In March last year, SC had pulled him up for refusing to reinstate a minister on the CM's recommendation. But this time, a bench of Justices J B Pardiwala and R Mahadevan has delivered a landmark verdict that not only clears 10 pending bills - one of them stuck since Jan 2020 - in one stroke, but also limits the power of governors across states to delay inconsequential bills indefinitely. The 10 bills Ravi had stymied, for example, would have loosened Centre's grip on institutes of higher education in TN, including the power to appoint vice-chancellors. Governors vs states is an old story, and recommending president's rule used to be the top trick in a governor's playbook. Now, sitting on bills, refusing to convene assembly sessions, and rejecting VC appointments are more common across opposition-run states - Kerala, Telangana, West Bengal and Punjab, besides TN. In Nov 2023, for instance, SC had agreed with Punjab's complaint against governor Banwarilal Purohit that he had delayed bills for four bills. That should have been Ravi's cue to clear the TN bills he had jammed, but he lobbed them into the President's court instead. On Tuesday, SC ruled that his inaction was "unconscionable and illegal".

The Tribune

ESTABLISHED IN 1881

SC rap for Governor

Need to restore balance in Centre-state ties

THE Supreme Court's strictures against Tamil Nadu Governor R N Ravi should serve as a warning to the Centre's appointees across the country, particularly in states where the BJP is not in power. In a major victory for the DMK government, the court has ruled that Ravi's decision to reserve 10 Bills for the President's consideration was illegal, arbitrary and against constitutional provisions. The overarching message is that the Governor must ideally be the state government's friend, philosopher and guide; he or she should not let political considerations undermine his or her allegiance to the Constitution.

Confrontations between chief ministers and governors have become the norm in states ruled by Opposition parties. In recent years, the situation has worsened in Tamil Nadu, where the MK Stalin government has been at loggerheads with Governor Ravi over a number of issues, most importantly the inordinate delay in granting assent to Bills passed by the state legislature. In 2023, the Governor went to the extent of dismissing a tainted minister from the state Cabinet without consulting the CM. The Union Home Ministry had to intervene to undo the wrong that was aimed at cutting the state dispensation down to size.

It is a no-brainer that good governance must be the top priority of both the CM and the Governor. The apex court has rightly observed that the members of the legislature, being elected representatives, are better attuned to ensuring the wellbeing of the people of the state. Creating roadblocks for political reasons does not behave the holder of a constitutional office. The Centre would also be well-advised to desist from giving governors carte blanche to impede the functioning of state governments. This can help in restoring much-needed balance in Union-state relations. The focus must be encouraging harmonious CM-Governor ties so that the state's all-round progress is not derailed by unsavoury rows.

DECCAN CHRONICLE | WEDNESDAY | 9 APRIL 2025 | C

DECCAN Chronicle

9 APRIL 2025

SC clarity on governor's role good for democracy

The Supreme Court ruling which insists that the governors act on the aid and advice of the councils of ministers while exercising their powers under Article 200 of the Constitution, which deals with the power of the governors, on signing bills into laws, is historic in that it underlines the primacy of the Constitution and the values of democracy it predises. Referring to the governors' choice about giving their assent to the bills passed by state legislatures, Tamil Nadu governor R N Ravi told a group of civil service aspirants sometime ago that "when you say 'withhold', the bill is dead". The Supreme Court has now decided that the bills are not dead when a governor withholds his assent for a time. He has no such power, and is expected to sign on the dotted lines of the paper on which the bills are printed, especially if they are recommended by the elected legislature. The court's intent can be read in no uncertain terms in its use of its extraordinary power under Article 142 and declaring the 10 bills the governor withheld as laws.

The principle that should rule the decision-making processes in the Raj Bhavans, a relic of the colonial past, is the Constitution which vests all the powers in the people of India who exercise it through their elected representatives. Some governors act as if they are appointed by the British under the Government of India Act, 1950, and that the real power is vested with them, notwithstanding the fact that this country is run by the Constitution which the people gave to themselves. Such governors must now read the apex court's ruling to enlighten themselves on the ground reality, and behave.

The rule of the governor should be limited to that of a "friend, a philosopher and guide" and he should be guided "not by considerations of political expediency but by the sanctity of the constitutional oath he undertakes". The court has held and has reminded the Raj Bhavans occupants that "in times of conflict, he must be the harbinger of consensus and resolution, lubricating the functioning of the state machinery by his sagacity and wisdom, and not bring it to a standstill. He must be the catalyst and not the inhibitor". This is a reminder which came a little late. But it is always good to be late than never.

The verdict offers as much a lesson to errant governors as to the Union government which sought to control state governments run by parties opposed to it through pliable benches. The court has now ended the non-existent supervisory role the Union government thought it possessed: it is the people of the state who decide their fate, it would remind all those are concerned. And this goes with the tone and tenor of the Constitution.

Democratic governance is all about checks and balances. To err and to correct are also part of the democratic process. All those who exercise power under the Constitution must recalibrate their positions against today's Supreme Court order, and make amends, as needed. Democracy is a work in progress, and there is no end to reforming its institutions and processes.

DECCAN HERALD

ESTABLISHED 1948

Landmark ruling reinforces federalism

The Supreme Court's judgement declaring Tamil Nadu Governor R N Ravi's inaction of reserving 10 Bills for the President's assent as illegal and erroneous is a landmark decision that upholds the value of federalism and the supremacy of the Constitution. It is also an indictment of the Governor who violated the norms of gubernatorial conduct with impunity and spoke and acted as if he was above the law and the state government. The indictment also applies to the union home ministry, which has supported Ravi and other Governors who have acted in an unconstitutional and obstructionist manner. By setting aside all the actions taken by Governor Ravi and using its extraordinary power under Article 142 to hold the 10 Bills to be clear from the date they were represented to the Governor, the bench of Justices J B Pardiwala and R Mahadevan has undone a serious infringement of the Constitution. Extraordinary situations call for extraordinary solutions - this is the first instance of bills becoming laws without the Governor's assent.

The court has also done well to draw red lines and set a timeline for the clearance of bills. It set the timeline as one month in case of withholding of assent and reserving it for President's assent with aid and advice of council of ministers, and three months if there was withholding of assent without aid and advice of the council. The bills have been returned within a month if they were presented after reconsideration by the State Assembly. The court also warned of judicial scrutiny if there was failure to adhere to the timeline. It is a pity that the highest court had to set such a timeline for routine action for a high constitutional authority and issue a warning. Many Governors, including Ravi, have been serial offenders against the Constitution and the court had to take the drastic decision after several rulings, advice and observations intended to guide their conduct went unheeded.

The court has made it abundantly clear that it is the elected government that is supreme and not the unelected appointee of the Central government. It said there is no pocket veto or absolute veto available to the Governor. The Governor must "act with due deference to the settled conventions of parliamentary democracy, respecting the will of the people being expressed through the legislature as well as the elected government responsible to the people".

SC judgement on TN Governor's action validates elected government's primacy

2 Pure Politics

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'GUVS MUST ACT WITH DUE DEFERENCE TO SETTLED CONVENTIONS OF PARLIAMENTARY DEMOCRACY'

SC Sets Timelines for GUVs to Decide on Bills

Guv must be conscious to not create roadblocks or chokehold the state legislature in order to thwart and break the will of the people for political edge: Bench

Sign podu, saar! Sign podu, saar! YOU HEARD HIM, GOVERNOR!

New Delhi: In a first, the Supreme Court has laid down timelines for governors to decide on bills forwarded to them by state legislatures. A bench comprising justices J B Pardiwala and R Mahadevan ruled that the governor as the constitutional head of the state is required with the responsibility to assent to bills. He should not exercise his power to withhold assent or reserve bills for the President's consideration, contrary to advice of council of ministers, the governor shall make such reservation within a "maximum period of three months". SC has held.

SC further ruled in case of reservation of bills for the President's consideration, contrary to advice of council of ministers, the governor must return the bill to the legislature within a "maximum period of three months". SC ruled.

The bench clarified it is "in no way undermining the office of the governor". All we say, as per the verdict, "is that the governor must act with due deference to the settled conventions of parliamentary democracy, respecting the will of the people being expressed through the legislature as well as the elected government responsible to the people. He must be conscious to not create roadblocks or chokehold the state legislature in order to thwart and break the will of the people for political edge: Bench".

Any exercise of discretion by governor if exercise of powers under Article 200 is amenable to judicial review.

SUPREME COURT VERDICT