

A CRITIC'S EULOGY

K. Chandrasekhara Iyer, a venerable octagenarian when he wrote an article on father for the HINDU on his birth centenary was one of his younger admirers along with Seshu during the heyday of his career. As a typical Mylaporean he held uncompromising standards for judging intellectual and cultural achievement. Such a critic's unqualified eulogy emphasising the human qualities of a luminary on the legal firmament will be welcomed by those who hold the name 'Alladi' as synonymous with the fusion of 'humanity and intellect'.

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A LUMINARY ON THE LEGAL FIRMAMENT*

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When a proper history of the Madras Bar gets chronicled and the galaxy of its past leaders portrayed, no other figure will engage our attention more than that of Dr. Alladi Krishnaswami Aiyer with his brilliant debating powers and pioneering studies in Constitutional Law. Though poor in physique and looks his glittering eyes and broad, smile compelled notice in any distinguished assembly. For nearly three decades and more, he moved from one hall of the High Court to the other and attracted not only a large and varied clientele but an entire world of jurists. His unassuming demeanour endeared him to all.

Alladi always remained the same likeable person to everybody despite his day-today self surpassing position in the public eye. Being conscious of his early poverty and his struggle to rise in his profession, he never once displayed a lack of sympathy to others in the same predicament as his in early life, by any of the intolerances or indifferences which accompany one in the wake of unusual prosperity.

Born on May 14, 1883. In Nayudupet (Nellore Dist.) of poor parents, he was diligent in learning from the very beginning. From school he went to Christian College in Madras, where he became a favourite of professors like Mr. Kellet and soon won spurs in history. He served as a tutor for some time in the college, but soon entered the portals of the law college, ultimately to enter the legal profession. He must have had a lot of courage and

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individuality to choose law for a profession with practically no helpful social contacts or sympathetic well-wishers.

He took to law like a fish to water, and success came in no time. Apprenticed to Mr. P. R. Sundaram Aiyar who was known to be prodigious in legal studies, Alladi received the appreciation and encouragement from some of the leaders in the profession.

Alladi's hard work during the initial days and a devotion to study the Reports of both English and Indian decided cases stood him in good stead; and added to this was his natural inclination to seriously discuss legal problems. It was no wonder then that in a short time he became known for his incisive intellect and acute skill in debating.

In 1907, he was enrolled as a Vakil and in less than two or three years he was able to stand on his own legs without undergoing much travail in juniordom. To show how he easily impressed both seniors in the profession and the judges of the High Court one telling instance may be recalled. Once on behalf of Mr. Sundaram Aiyar, he was making a statement of English law before a Bench presided over by no less a judge than Sir John Wallis, when in appreciation of the aptness of it, the judge queried: Where from have you got this? Is it from any judicial pronouncement or your own? At once Mr. V. Krishnaswami Aiyer, appearing on the other side, was heard to say. 'That young man can himself formulate such a legal proposition.' It was a well deserved tribute from one higher in the profession and Alladi long remembered it with pride and gratitude.

From a young junior to be transformed into a senior with an office crowded with juniors and apprentices, it did

not take many years for him to be engaged in complicated issues of a case whether it be of Hindu Law or Land revenue or Zamindari Estate. It was said that when Sir Asutosh Mukharjee of Calcutta paid a visit in 1915, to the Vakil's Association and Sir K. Srinivasa Iyengar then a judge, introduced Alladi as a rising member of the Bar. Justice Sir Abdur Rahim (later to be President of the Legislative Council at the Centre in Delhi) who was near corrected him saying 'He has already risen'.

In due course Alladi was appointed the Advocate-General of Madras in 1928 for by then he had gained enough reputation to be chosen as the Official Head of the Bar. As Advocate-General he diligently acquainted himself with requirements for the new office. He would even peruse some of the drafted opinions of his predecessors such as, Sir P. S. Sivaswami Aiyar and Mr. S. Srinivasa Iyengar in order to familiarise himself with draftmanship in rendering legal opinions to the Government. He used to be struck by the lucidity of Mr. Sivaswami Aiyar's language and the compact terseness of S. Srinivasa Iyengar's language. Conscious of the necessity of a good style, Alladi would write and re-write his statements so that he would be precise in language as well as in substance. As a matter of fact some of his Farewell Addresses to retiring judges of the High Court were so well prepared that they were collected in a special volume at the time of his Shashtiabdhapoorti and presented to him.

Alladi Krishnaswami Aiyer was not known for exhaustive arguments in court. He always tried to be brief and careful in selecting a few points which alone, according to his judgement, if forcefully pressed would win the case. No set plan would be employed by him,

for his resilient mind often studied the judges and he changed his strategy to suit the occasion. If economy in art makes literature significant, no less was economy in presentation of arguments a matter of art to Alladi. His sound memory and resourcefulness also served as useful aids.

It was a case for issue of a writ of *Scire Facias* which came before a Bench presided over by Sir Murray Coutts Trotter. Alladi began to change his original intention, and canvassed a favourable passage from a book called "TIDD's Practice" of England. Justice Trotter could not restrain his surprise and asked Alladi 'How did you get that book?' The reply even more astounded the judge 'We were familiar with that book in Sundaram Aiyar's Law chambers when we worked under him'. Later he traced the entire course of that writ with various authorities and impressed Justice Trotter of the immense study involved. But soon Alladi with a wink, characteristic of him, said to a friend seated next to him 'Of course the whole range of authorities is well collected in a Calcutta judgement of Justice Asutosh Mukherjee I purposely made it all look a renewed research for this case'.

One other matter needs attention about his quick grasp of details. In the Cauvery Arbitration matter before Justice Page the Judge was taken up with him at the way he piled up points of intimate engineering technicalities. No doubt the Chief Engineer of the Government of Madras was by his side to brief him on technical points. Still the readiness of his brain to grasp any unfamiliar subject in a moment deserved the rich compliment offered by the Judge. Even before the Indian Government conceived of the setting up of a Federal

Court at Delhi, he had anticipated it by regular studies of the various Federal constitutions of United States, Canada and Australia and equipped himself for any contingency that may arise for his services. He began to love the subject and was constantly purchasing books dealing with constitutions of states not only of Europe and America but of the Soviet Republic. It was a pleasure for him to plunge into that familiar field of his later day studies, with enormous zest.

Beneath it all was a core within him which beckoned him to the Philosophy of Law which another lawyer might not have addressed his mind to. If in the Constituent Assembly he was listened to with rapt attention by persons like Pandit Jawaharlal Nehru, Dr. Rajendra Prasad or Dr. Ambedkar, it was because of his unfailing awareness of the fact that law was becoming more and more an instrument of social change. He also knew the limits of law. In an earlier address at the Krishna Rajendra Silver Jubilee, 1939, he remarked. The one important lesson that is learnt by a lawyer in the course of his studies is that the source of all law is to be found in the seething life of the people, that the course of legal development is determined by the progress attained by the nation in the several spheres, and that the legal system in its turn has shaped progress. Dr. Alladi Krishnaswami Aiyer was convinced of the vast population's responsibility for constitutions proving useful for answering the real needs of a growing nation, he thought of adult franchise as inevitable for its progress. He was found saying that any day the unlettered man in the street was more educated than the compulsorily educated who pose to exercise the gift of franchise.

When all is said of Alladi's achievements which certainly buoyed up his spirits, he was never proud or exclusive. His childlike simplicity in acknowledging others excellences, his loyalty to friends like Mr. Subbaraya Aiyar who shared with him his joys and woes from the earliest times of their lives, his desire for his own progeny not lagging behind many an ambitious young spirit for achievement in life, his remaining to the last his own self—all those qualities induce us to cherish his memory.