

Small courtroom, big fight: Ringside view of the Jaya death probe panel

TNN | Jan 29, 2019, 12.08 AM IST

The Arumughaswamy commission, which is investigating the hospitalisation and death of former chief minister J Jayalalithaa, has been a stage of high drama. Only that nobody – other than the summoned witnesses, lawyers, court staff and the judge himself – has been allowed in here. TOI reporter Siddharth Prabhakar takes a sneak peek at this courtroom and those locking horns in it.

Justice A Arumughaswamy (Panel head)

A Arumughaswamy, 67, who was in the subordinate judiciary in the late 80s became a district judge in the 90s and was appointed to the Madras high court in 2010. After retirement in 2014, he was given charge of the Debts Recovery Appellate Tribunal, Mumbai and later appointed as judicial member of the Central Administrative Tribunal's Madras bench.

From Coimbatore, Arumughaswamy is hard-nosed and demanding of his official staff. While issuing a copy of an order to journalists, well after the judge had left for his official quarters, his staff spotted a minor error in the numbering of paragraphs. The corrected order was sent to Arumughaswamy for perusal and a copy was handed out only after he had vetted it.

During the commission's proceedings, Arumughaswamy is known to quiz witnesses in a bid to stump those blabbing rehearsed answers. Despite keeping the commission in-camera, he is conscious of what the media says. A few weeks ago, during proceedings, he admitted to playing a perception battle in the media by leaking a portion of an official document through his bench clerk.

Very punctual, his proceedings are known to end before 3pm on Friday, in time for a return flight to Coimbatore.

Mohammed Jafarullah Khan (Commission standing counsel)

Not much is known about this retired district and sessions judge who is the third standing counsel to be appointed to the commission for the last yet crucial phase when the final report has to be drafted. The website premierlegal.co.in lists him as a partner, and states that Khan is an expert in civil and criminal laws, arbitration and trusts and societies. He was also registrar (vigilance) at the Madras high court.

He has a 30-year judgeship experience disposing of civil and criminal cases, the website says.

Those present during proceedings say Khan is very quiet and asks only a few questions. He has just got into the groove as far as medical details of the case are concerned. His experience in criminal cases was in full display when he tried to indict Apollo Hospitals for alleged negligence in treating Jayalalithaa.

Outside court, Khan is soft-spoken and avoids the media. In the presence of three aggressive legal luminaries, he is the odd man out.

Raja Senthoo Pandian (Counsel for V K Sasikala)

At six feet and two inches, the stocky 45-year-old has a booming voice that adds to his presence inside the courtroom. A criminal lawyer with 21 years of experience and the son of a retired deputy commissioner of police, he is the counsel for V K Sasikala.

Pandian's opponents in the court rave about his strategies and his ability to look for a striking opportunity in every punch thrown at him. He is known to have the ability to spring surprises out of nowhere. A few weeks ago, he brought in a new argument asking the commission if it was pointing a finger at the Narendra Modi-led Union government in not giving proper treatment to Jayalalithaa and not taking her to a foreign country. It left everyone stumped.

Pandian has fought many cases the high and mighty of the DMK in scams of lottery, colour TV, and 'semmozhi maanadu'. He represented media persons in the Justice P Shanmugham commission in 2009 looking into the phone tapping of a senior police officer and then chief secretary.

Maimoona Badsha (Counsel for Apollo Hospitals)

An expert in transactional law and litigation, 49-year-old Badsha has an experience of 25 years. The daughter of former advocate general of Tamil Nadu Habibullah Badsha, she is a counsel for corporates in manufacturing and retail space. She represents Apollo and its group companies across the world.

Often the only woman in the courtroom, Badsha has been no pushover, say people privy to the proceedings. That was evident in the way the hospital charged the commission with making mistakes in recording medical terminologies. Tasked with defending the hospital has meant that Badsha has to study and understand complex medical procedures and diseases which would have to be explained during the proceedings.

With the commission trying to accuse Apollo of medical negligence, Badsha's work is not only restricted to pinpoint medical evidence that shows otherwise, but also fight a perception battle for her client outside the court. A sample was her 14-minute press briefing to counter allegations by Khan in a petition filed before the commission a month ago, her first formal interaction with a media contingent.