



## LEGAL CAREER OF C. P. RAMASWAMI AIYAR IN MADRAS

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### ABSTRACT :

*In 1902, C.P.R. became an apprentice to V.Krishnaswamy Iyer, a renowned figure in the Madras Bar and a highly influential personality of his era. C.P.R. held deep admiration and respect for him, acknowledging the significant impact Krishnaswamy Iyer had on his mindset. The feeling was mutual, as C.P.R. was the most cherished among Krishnaswamy Iyer's junior associates. The Guru's favoritism towards C.P.R. stemmed not only from his immense potential in the legal profession but also from his commanding presence, brilliance, and exceptional intellect. In 1903, C.P.R. was admitted as a lawyer. His father had hoped that C.P.R. would work as a junior under the formidable V.Bashyam Iyengar, the first vakil Advocate General in India who challenged the dominance of barristers in the judiciary. However, his father's ambition remained unfulfilled as Bhashyam Iyengar did not take C.P.R. under his wing. Consequently, C.P.R. had to commence his practice on the Original Side of the High Court, as advised by V.Krishnaswamy Iyer, without any external assistance. By dint of his ability, C.P.R. became a prominent lawyer and eminent legal adviser in the Madras Presidency. S.Kasturi Ranga Iyengar of The Hindu, Annie Besant of Theosophical Society and the some Maharajahs of the Princes states of India sought the legal aid of C.P.R.*



**KEY WORDS:** C.P.Ramaswami Aiyar (C.P.R.), Gokhale, Gandhi, Annie Besant . Madras, Madras High Court, Travancore.

### INTRODUCTION:

While studying at Madras Law College, C.P.R. received encouragement from Pattabirama Aiyar, who was not only a judge at Madras City Civil Court but also his father. C.P.R. would often examine the case files that his father brought home, leading to discussions between them about the cases. These discussions would sometimes result in a conclusion, which his father would then record as his verdict on those particular cases. This allowed C.P.R. to gain practical experience and exposure to real-life cases, effectively serving as an apprentice to his father in the field of law.<sup>1</sup>

C.P.R. graduated from the law college with distinction in 1901. Prior to becoming a lawyer, he made a brief visit to Pune to meet Gopalakrishna Gokhale, who was establishing the 'Servants of India Society', a social service organization. G.K. Gokhale was a prominent Congress leader of the time, dedicated to achieving India's independence from British rule. He played a pivotal role in the freedom movement led by the Congress Party and served as an inspiration to emerging leaders like M.K. Gandhi and Annie Besant. C.P.R.. adopted Gokhale's meticulous approach towards his work. C.P.R.. also intended to join the 'Servants of India Society', but his father's aspiration for him to pursue a legal

career led to his return from Pune.<sup>2</sup> Consequently, C.P.R. went back to Madras and began his apprenticeship under V. Krishnaswami Aiyar, the Lion of the Madras Bar in 1902. Unfortunately, that same year, C.P.R. suffered a great loss when his father passed away at the young age of forty -six. This loss was immeasurable for C.P.R., as his father had been instrumental in his progress so far and had greatly influenced him. The absence of a beloved father's guidance during the early stages of a son's professional life was irreplaceable.

C.P.R. spent just under a year in Krishnaswami Aiyar's chamber before venturing out on his own in 1903.<sup>3</sup> During that time, the High Court of Madras was filled with renowned legal experts such as Edgar Norton, Nugent Grant, Venkata Subha Rao, Radhakrishniayya, and many others. It was no easy task to compete with them and establish oneself successfully. However, C.P.R. was not an ordinary apprentice who could be easily dismissed. He had the privilege of knowing esteemed lawyers like Bashyam Aiyangar, Eardly Norton, and J.L. Rosario. Eardly Norton even granted C.P.R. access to his personal library, aiding the young lawyer's growth. While Bashyam Aiyangar and Norton had distinct qualities, C.P.R. learned valuable lessons from both of them. Another notable figure was P.S. Sivaswami Aiyar, a humble individual with a flourishing legal practice and a strong commitment to philanthropy. He established a high school in his hometown of Thirukattupalli in Thanjavur District, as well as a Girls High School in Mylapore, Madras.<sup>4</sup>

In the early stages of his career, C.P.R. experienced two unproductive years. However, from the third year onwards, he became more active, handling numerous cases and earning substantial amounts. C.P.R. had a solid educational background in literature, philosophy, and other useful arts in addition to his legal knowledge. A successful lawyer must possess a great deal of common sense and general education, both of which C.P.R. had in abundance. He had a habit of thoroughly studying the depth and breadth of cases before putting his arguments. Once he understood the case facts, he would condense them into a question and answer format to assist him during court appearances. Although he brought case notes to court, he never needed to refer to them. His arguments flowed naturally, and he never had to consult any papers. C.P.R. primarily practiced on the original side of law, as many other lawyers in that area had retired. This led him to handle all cases by himself, appearing in court for each one in a fully engaged manner. His cross-examinations were highly regarded, as evidenced by the full visitors' gallery during the Narayaniah vs. Annie Besant case in the Madras High Court.

Additional cases were being brought to his attention in his chamber. Over 300 cases that were previously managed by his brother-in-law Kumaraswamy Sastri were then being transferred to C.P.R.'s chamber, as Kumaraswamy Sastri promoted from practicing law to becoming a Judge. Initially appointed as a judge in the Small Causes Court, Kumaraswamy Sastri eventually ascended to the position of a judge in the High Court of Madras.<sup>5</sup>

Numerous aspiring young lawyers sought opportunities at C.P.R.'s Chamber, where they encountered esteemed junior lawyers such as Alladi Krishnaswami Aiyar, N. Chandrasekara Aiyar, and M.Subbaraya Aiyar.<sup>6</sup> Alladi Krishnaswamy Aiyar, in particular, required no introduction, as he went on to serve as the Advocate General for The Madras Government for an extensive period and gained recognition as a prominent lawyer in the Madras Bar. Chandrasekara Aiyar ascended to the position of a judge in the Supreme Court and was also appointed as a member of the Boundary Commission responsible for delineating the boundary between India and Pakistan in the eastern sector of East Pakistan. In later years, Subbaraya Aiyar played a significant role as a respected figure in Madras, involving himself with educational institutions like Vivekananda College in Mylapore and M.I.T. at Chrompet, for which he held great responsibility in their establishment.<sup>7</sup>

C.P.R. stood out from other seniors by treating his juniors with respect and providing them with ample opportunities to learn the intricacies of legal practice. He would conduct thorough discussions on every case, encouraging the juniors to analyze and share their opinions and comments. C.P.R. would then conclude with his own arguments. Moreover, he would share a portion of his income with his juniors.

C.P.R. was a compassionate individual who never discriminated based on caste among his juniors. When Sivaraj, a young man from a scheduled caste, was denied opportunities in other

chambers, C.P.R. welcomed him into his own chamber and provided him with all the same privileges as the other juniors. C.P.R. had a generous nature and a progressive mindset, rejecting the notions of caste, class, and religious differences. In the future, Sivaraj went on to become the Mayor of Madras and actively participated in politics. Despite the prevailing orthodox Brahmin society, C.P.R. remained unaffected and true to his inclusive principles.<sup>8</sup>

C.P.R. managed several significant cases involving prominent clients. One such case was the defamation lawsuit against Kasturi Renga Aiyangar of *'The Hindu'* by K.R. Narasinga Rao, where C.P.R. represented the newspaper.<sup>9</sup> Besides, C.P.R. handled a series of cases for Indian Princes like the Nizam of Hyderabad and the Maharajah of Patiala, both of whom rewarded C.P.R. generously. The Travancore Maharajah Mulam Tirunal enlisted C.P.R.'s services for the Ashe assassination case and the Indian Patriot Case. Subsequently, C.P.R. appeared in the Travancore and Cochin Courts for matters such as the separation of devaswom from the Land Revenue Department and the Vattipanam case involving factions of the Syrian church. Notably, C.P.R. was the first lawyer to utilize the writ procedure of Mandamus in the Madras High Court against the University of Madras in the case of G.A. Natesan vs. University of Madras. Furthermore, C.P.R. dedicated time to studying constitutional law and was reputed to have drafted a constitution for the state of Kashmir.

Among all the legal cases, the one that brought him recognition was the legal battle between Annie Besant and Narayaniah. This particular case revolved around an adoption. Besant, an Irish woman, arrived in India in 1893.<sup>10</sup> Despite her advanced age, her deep affection for Hinduism and Theosophy led her to the country. She became a member of the Theosophical Society in Adyar. Besides her religious pursuits, she actively participated in the political landscape of India, advocating for independence from British colonial rule. Observing the oppressive conditions in India under British governance and the efforts of the Congress movement to liberate the nation from imperialism, she likely felt compelled to join the cause out of a sense of justice. Many British individuals, in fact, sympathized with India's struggle for freedom. A compelling orator in English, Besant also established the Home Rule League, which garnered significant support for a period of time.<sup>11</sup> With generous donations from foreign sources, financial constraints were not an issue for her.

Concerning the adoption case, Narayaniah, a resident of Adayar, was interested in the Theosophical faith, which led him to develop a closer relationship with Besant. His two sons, J. Krishnamurthy and J. Nityanandam, were also influenced by Besant. Besant offered to assist Narayaniah in educating his sons abroad and raising them. Narayaniah agreed to this proposal and entrusted his sons to Besant under a formal agreement. Besant then assigned Bishop C.W. Leadbeater the responsibility of caring for the boys. The Bishop began educating the boys using his own methods. As time passed, Narayaniah found it increasingly difficult to see his sons and began to have doubts about the lessons they were receiving. Consequently, he sought C.P.R.'s assistance in taking legal action against Besant to nullify the agreement they had made and restitution of his two sons from Besant's custody.<sup>12</sup>

The lawsuit was initially filed in the Chengleput sub-court but later, by mutual agreement, it was transferred to the Madras High Court. In this particular case, Besant personally appeared and presented arguments. However, despite C.P.R.'s logical pleas and his thorough cross-examination of Leadbeater, Besant's defense crumbled and could not withstand the scrutiny. The final judgment ruled that the boys should be returned to Narayaniah. Besant acknowledged C.P.R.'s exceptional legal expertise and expressed her desire to have him on her side. This encounter with C.P.R. during the case significantly influenced Besant's decision to include him in her Home Rule League.<sup>13</sup>

In this instance, despite C.P.R.'s initial victory for Narayaniah, Besant successfully appealed the decision at the Privy Council in London. The argument made for the appeal was that the two boys had already arrived in London before the case was brought before the Madras Court, thus stripping the court of its jurisdiction over them as they had left their home country.

C.P.R. also filed a lawsuit against Besant and was successful in obtaining compensation for expenses. However, when Narayaniah intended to initiate legal proceedings against Besant for contempt of court due to her failure to produce the lessons taught by Leadbeater as ordered by the

court, it could have resulted in Besant being imprisoned for contempt. Nevertheless, C.P.R. chose not to pursue the matter and advised Narayaniah accordingly. Besant greatly appreciated this act of kindness from C.P.R., and it served as a significant event that strengthened their bond.<sup>14</sup>

C.P.R. diligently pursued a career in law for a period of ten years, spanning from 1902 to 1910, during which he swiftly ascended to the pinnacle of the Madras Bar.<sup>15</sup> The fees he commanded from his affluent and esteemed clientele were truly remarkable. Consequently, by the conclusion of his illustrious professional journey, he had amassed great wealth, enabling him to indulge in opulent and extravagant expenditures. However, he displayed remarkable compassion towards his less fortunate clients, often representing them without any charge.

Despite transitioning away from regular active practice, his passion for law never waned. He avidly consumed law journals, reports, and other legal literature throughout his lifetime. Additionally, his esteemed clients continued to seek his legal counsel intermittently.

C.P.R. was presented with a prestigious opportunity when the Chief Justice of the Madras High Court extended an invitation to join the Bench as a judge in the High Court. Despite the honour, C.P.R. politely declined the offer as he was not interested in pursuing a career as a judge. It took a certain level of bravery for C.P.R. to turn down such a significant offer from the Chief Justice.

The atmosphere at "The Grove", his home, was one where he granted his family members complete freedom. He had a deep love for his three sons.

He was the pioneer lawyer in Madras to purchase a 'Hudson' car. His sons were delighted by the car's speed, which allowed them to move around quickly. Previously, horse-drawn carriages were the main mode of transportation. C.P.R. believed in personally handling tasks whenever possible, rather than relying on servants to do everything. He had a stable for horses at one end of his garden, where he would visit to care for the horses. C.P.R. enjoyed riding horses in the morning, a practice he continued until he turned fifty. He regularly hosted parties at his house, where he maintained a meticulous approach similar to his professional life.<sup>16</sup> C.P.R. personally oversaw all the details to ensure his guests were well taken care of. He would personally inspect the suites reserved for his guests.

During an occasion when he hosted the Ali brothers, Mohammad Ali and Shaukat Ali, who were Congressmen, at his residence, the Brahmin community of Mylapore expressed their disdain and issued a warning to boycott him. Similarly, when he served as a delegate in the team that travelled to England to meet the I.P.C. - Joint Parliamentary Committee of the British Parliament regarding the Montford Report, his fellow Brahmins from Mylapore hurled the same threat at him. However, C.P.R. stood above them all with his liberal and cosmopolitan views, simply disregarding all the threats.<sup>17</sup>

C.P.R. decided to retire from the Madras High Court due to his increasing involvement in the public affairs of the country. The first half of the Twentieth Century witnessed significant political movements across India, with the Congress party, led by Gandhi, emerging as the prominent force in the fight against British rule through non-violent means. Given this context, it is not surprising that C.P.R. was drawn towards public life. He willingly gave up his earnings from his successful legal career and instead dedicated his wealth to various social causes. Despite opposition from his family and friends, who urged him to prioritize his professional income, C.P.R. remained steadfast in his decision to enter politics, fully aware that it would result in a reduction in his annual income.<sup>18</sup>

Throughout his tenure in public service, he frequently found himself providing legal counsel to his former clients. Notably, he successfully handled several significant cases. One particular instance involved the dispute over the utilization of the Periyar River's water between the governments of Travancore and Madras States. In this matter, he represented the government of Travancore and emerged victorious, securing a favorable outcome for his client.

In conclusion, C.P.R. became a lawyer on a Tuesday, which is considered the unluckiest day for Tamils. However, C.P.R. did not believe in the Indian superstition of distinguishing between good and bad days. He taught his children and grandchildren that all days are God's days and therefore, good days. C.P.R. handled numerous legal matters and had clients from some of the Princely states. One remarkable incident that showcased C.P.R.'s legal expertise and skills was when he assisted the royal family of Travancore, the first Indian state to seek his services. Sri Mulam Tirunal was greatly



impressed by C.P.R.'s handling of the Ashe assassination case, leading the Royalty to seek his advice on all important matters. Another notable case in which C.P.R. provided his services was the 'Indian Patriot Case' involving the deportation of Ramakrishna Pillai. At C.P.R.'s suggestion, a significant change was made in 1921, separating the Devaswom from the Land Revenue Department. During that time, C.P.R. served as the Advocate-General of Madras. C.P.R. deserves much credit for breaking the monopoly of English barristers and solicitors over the Original Side of the Madras High Court, in favor of the *vakil*-Bar. He is credited with originating the process of mandamus and certiorari in Madras, which became increasingly popular. During the arbitration proceedings on water rights and rights of electrical generation in the Periyar River, C.P.R., as the Dewan of Travancore, personally argued for his State against the legal advisers of the Madras Government and successfully secured the rights. Known for his courage, independence, dignity, courtesy, patience, and sense of humor in the legal bench and bar, the period from 1913 to 1920 was particularly significant for him as he showcased his eminent legal expertise in south India. The chambers of C.P.R. produced a group of legal luminaries, including Alladi Krishnaswami Aiyar, N. Chandra Sekhara Aiyar, M. Subbaraya Aiyar, and N. Sivaraj.

### END NOTES

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