

Listed on 13.9.2013

Court No. 11

Item No. 201

SECTION XII
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

PETITION FOR SPECIAL LEAVE TO APPEAL (CIVIL) NO. 12169, 5772
OF 2007 & 19902 of 2006

WITH

PRAYER FOR INTERIM RELIEF

M. Prema etc. etc.

...Petitioners

Versus

State of Tamil Nadu & Ors. Etc.

...Respondents

OFFICE REPORT

The matters above mentioned were listed before the Hon'ble Court on 10th November, 2010 when the Hon'ble Court was pleased to pass the following Order:

"SLP(C) Nos.12169 of 2007, 19902 of 2006 and 5772 of 2007 have been listed before us for final disposal. During the hearing, it has transpired that the petitioners in SLP(C)Nos.12169 and 5772 of 2007 have filed writ petitions before the High Court, being Writ Petition Nos. 3701, 3702 and 3565 of 2007, challenging the provisions of Rule 10 of the Tamil Nadu Special Absorption Rules, 1987 and they are still pending decision.

In the meantime, the writ petitions filed by the other special leave petitioners in SLP(C)No.19902 of 2006, having been disposed of, the decision of the High Court which involves interpretation of Rule 10, has been filed. It appears that in order to arrive at a final decision on the issues involved in the different Writ Petitions, all the matters should be heard together, including the Writ Petitions pending before the High Court on account of the fact that there are three categories of employees involved and the writ petitioners of the High Court in SLP(C)Nos.12169 and 5772 of 2007 will be equally affected by any decision that may be rendered in the pending writ petitions. Having heard learned counsel for the parties,

we are of the view that the writ petitions pending before the High Court should be transferred to this Court and be heard along with the pending Special Leave Petitions.

Accordingly, let the writ petitions referred to hereinabove and which are pending before the Madras High Court be transferred to this Court for being heard along with these Special Leave Petitions.

Let the records be called for expeditiously and the Madras High Court is requested to transfer the same as expeditiously as possible. As soon as the records of the writ petitions are received, let these matters be listed for final disposal.

The respondents in the writ petitions before the High Court will be at liberty to file their counter affidavits thereto within four weeks from date; rejoinder, if any, may be filed within two weeks thereafter."

AND Thereafter, the matters were lastly listed before the Hon'ble Court on 10th January, 2013 and 30th January, 2013 when the Hon'ble Court was pleased to pass the following order:-

10th January, 2013

"Let this matter be listed for further consideration next week. "

30th January, 2013

"Not taken up."

SLP © NO. 12169 OF 2007

It is submitted that there are 33 respondents. Respondent Nos. 1-2 and 32-33 are represented through Mr. B. Balaji and Ms. N. Shoba, Advocates and they have filed counter affidavits and the same have been included in the Special Leave Petition paper books.

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Service of notice is complete on all the remaining respondents by way of A.D. cards and affidavit of dasti service. In respect of respondent No. 29 reported dead but counsel for the petitioner has not taken any steps.

It is lastly submitted that pursuant to above quoted order original record have been received from High Court alongwith Writ Petition Nos. 3701, 3702 and 3565 of 2007 and the same are placed before the Hon'ble Court for ready reference.

SLP(C) NO. 5772/2007

It is submitted that there are 33 respondents. Respondent Nos. 1 and 2 are represented through Mr. B. Balaji, Advocate and he has also filed counter affidavit and the same has already been included in Special Leave Petition paper books. In respect of respondent Nos. 3 to 31, service of notice is complete by way of affidavit of dasti service. Hence service of notice is complete on all the respondents.

It is further submitted that there are two intervenors in all the Special Leave Petitions and are represented through Ms. N. Shoba, Advocate .

SLP(C) NO. 19902/2006

It is submitted that there are 23 respondents. Respondent Nos. 1-3 are represented through Mr. B. Balaji, Advocate and Respondent Nos. 22-23 are represented through Ms. N. Shoba, Advocate and they have filed counter affidavits which have already been included in Special Leave Paper books. Respondent No. 4 is represented through Mrs. Revathy Raghavan, Advocate.

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Service of notice is complete on the remaining respondents by way of courier receipts.

It is further submitted that counsel for the petitioner in Special Leave Petition(C) No. 19902 of 2006 has filed Rejoinder Affidavit and the same has already been included in the Special Leave Petition paper books.

Service of notice is complete on all the respondents.

The matters above mentioned are listed before the Hon'ble Court with this report.

Dated this the 11th day of September, 2013

ASSISTANT REGISTRAR

Copy to:

Mr. Revathy Raghavan, Advocate

Ms. N. Shoba, Advocate

Mr. Naresh Kumar, Advocate

Mr. B. Balaji, Advocate

Ms. Binu Tamta, Advocate

ASSISTANT REGISTRAR

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