

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).12169/2007

(From the judgement and order dated 03/04/2006 in WP No.21654/2004
of The HIGH COURT OF MADRAS)

M.PREMA Petitioner(s)

VERSUS

STATE OF T.NADU REP.BY SECRETARY & ORS. Respondent(s)

(With office report)
(for final disposal)
WITH SLP(C) NO. 19902 of 2006
(With appln.(s) for permission to file addl. documents and
intervention and with prayer for interim relief and office report)
(for final disposal)
SLP(C) NO. 5772 of 2007
(With office report)
(for final disposal)

Date: 10/11/2010 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ALTAMAS KABIR
HON'BLE MR. JUSTICE CYRIAC JOSEPH

For Petitioner(s) In SC12169/07 & Respondents in SC 19902/06	Mr. Altaf Ahmad, Sr. Adv. Mr. V.Prabhakar, Adv. Ms.Revathy Raghavan,Adv. Mr. Ramjee Prasad, Adv.
SC19902/06	Mr. Anand Kannan, Adv. Ms. Binu Tamta, Adv. Ms. Rohini Musa, Adv.
SC5772/07	Mr. P.R. Kouilan Poongkuntran, Adv. Mr. Naresh Kumar, Adv.

For Respondent(s) SC123169/07	Mr. T. Harish Kumar,Adv. -2- SLP(C)No.12169/07 etc.
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/intervenor	Mr. Altaf Ahmad, Sr. Adv. Ms. N. Shoba,Adv.
R22 & 23 in SC 19902/06	Mr. K.Ramamurthy, Sr. Adv. Ms. N.Shobha, Adv. Mr. Sriram J.Thalapathy, Adv. Mr. V.Adhimoolam, Adv. Mr. P.Parthasarathi, Adv. Mr. R.Nedumaran, Adv.

UPON hearing counsel the Court made the following
O R D E R

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

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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.

(Sheetal Dhingra)
Court Master

(Juginder Kaur)
Court Master