

SECTION XII

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

**PETITIONS FOR SPECIAL LEAVE TO APPEAL (C) Nos. 1984-1985,
23867-68 and 26779-26780 of 2008**

WITH

PRAYER FOR INTERIM RELIEF

WITH

INTERLOCUTORY APPLICATION NOS. 5-6

(Application for impleadment in SLP Nos. 1984-1985 of 2008)

WITH

INTERLOCUTORY APPLICATION NOS. 7-8

(Application for direction/stay in SLP Nos. 1984-1985 of 2008)

WITH

INTERLOCUTORY APPLICATION NOS. 7-8

(Application for impleadment and vacating stay in SLP No. 8898 of 2008)

WITH

INTERLOCUTORY APPLICATION NOS. 31-32

(Application for stay in SLP 23867-23868 of 2008)

WITH

INTERLOCUTORY APPLICATION NOS. 33-34

(Application for permission to file additional document in SLP 23867-23868 of 2008)

State of Tamil Nadu & Ors. Etc.

..Petitioners

-Versus-

G. Rajamoney & Ors. Etc.

..Respondents

OFFICE REPORT

SLP(C) NO.1984-1985/2008

The matters above mentioned were listed before the Hon'ble Court on 21st January, 2008, when the Hon'ble Court was pleased to pass the following Order:-

"Delay condoned.

Issue notice.

Mr. Senthil Jagadeesan learned advocate appears on behalf of the respondents and waives notice.

Two weeks' time is allowed for filing counter affidavit and rejoinder, if any, within two weeks thereafter."

Thereafter, the matters above mentioned were listed before the Hon'ble Judge-in-Chamber on 21st August, 2014, when His Lordship was pleased to pass the following order:-

...2/-

"Since 13th July, 2011 this Court has allowed sufficient time to the petitioners to file proof of service of dasti summons but nothing has been done. Hence, these special leave petitions are dismissed for non prosecution as against unserved respondents."

Service position of each matter:

SLP(C) No. 1984 of 2008

It is submitted that there are two respondents. Respondent No. 1 is represented by Mr. Senthil Jagadeesan, Advocate. Courier receipt has been received back from respondent No. 2 but no one has entered his appearance.

Service is complete.

SLP(C) No. 1985 of 2008

It is submitted that there are 73 respondents. Respondent No. 1 is represented by Mr. Senthil Jagadeesan, Advocate and he has also filed counter affidavit. Copy of the counter affidavit has already been included in the Special Leave Petition paper books. Counsel for the Petitioner has also filed rejoinder affidavit. Copy of the same has already included in the SLP paper books. A.D. cards and courier receipts have been received back from respondent Nos. 2, 4, 7 to 10, 12, 13, 17, 19, 23 to 25, 27, 28, 30 to 35, 37 to 41, 43 to 46, 54, 56, 59 to 64, 66,70,71 and 73 but no one has entered their appearance so far. Special Leave Petitions have been dismissed against respondent Nos. 3, 5, 6, 11, 14, 15, 16, 18, 20 to 22, 26, 29, 36, 42, 47 to 53, 55, 57, 58, 65, 67, 68, 69 and 72.

Service of show cause notice is complete.

It is further submitted that counsel for applicant has on 21st August, 2010 filed an application for impleadment alongwith direction i.e. Interlocutory Application Nos. 5-6 and 7-8, which were mentioned before the Hon'ble Court on 29th September, 2010, when the Hon'ble Court directed to list the same alongwith main matter.

SLP(C) No. 8898 of 2008

The matter above mentioned was listed before the Hon'ble Court on 29th February, 2008, when the Hon'ble Court was pleased to pass the following order:-

"Delay condoned.

Learned counsel for the petitioners states that against the judgement impugned in the present special leave petition, review Petition has been instituted which is pending before the High Court. However, it is stated that against the common judgment the special leave petition has been filed and notice has been issued.

Learned counsel further states that the petitioners will withdraw the review petition filed in the High Court, On that statement being made issue notice. Let such review petition be withdrawn within one week from today.

Tag with SLP (C)Nos. 1984-1958 of 2008."

Accordingly, show cause notice has been issued to 58 respondents. M/s. Senthil Jagadeesan and B. Balaji, Advocates have entered appearance on behalf of respondent Nos. 1 and 2-4 respectively. Mr. Senthil Jagadeesan, Advocate has filed counter affidavit. Copy of the counter affidavit has already been included in the Special Leave Petition paper books. Respondent Nos. 5-58 have been deleted vide this Court's order dated 7th August, 2008 and cause title has been amended and included in the Special Leave Petition paper books.

Service of show cause notice is complete.

It is further submitted that Ms. Liz Mathew, Advocate has on 4th October, 2010 filed application for impleadment and vacating stay i.e. Interlocutory Application Nos. 7-8, which were mentioned before the Hon'ble Court on 8th October, 2010, when the Hon'ble Court was pleased to pass the following order:-

"Issue notice.

Mr. G. Balaji, learned counsel, accepts notice on behalf of the petitioners and seeks time to file reply to the applications. Let the needful be done within four weeks.

List immediately thereafter."

Accordingly, show cause notice on (Interlocutory Application Nos. 7-8) has been issued to Mr. G. Balaji, Advocate for the petitioner and he has accepted the notice but he has not filed reply till date.

SLP(C) Nos.23867-68 of 2008

The matters above mentioned was listed before the Hon'ble Court on 5th September, 2008, when the Hon'ble Court was pleased to pass the following order:-

**"Issue notice.
Tag with SLP (C)No. 1984-1985 of 2008."**

Thereafter, the matters above mentioned were listed before the Ld. Registrar's Court on 8th April, 2015, when the following order was passed:-

"The ld. Counsel for Respondent No. 1 has mentioned that the counter affidavit on behalf of this respondent has already been filed in the connected SLP(C) No. 26779 and 26780 of 2008. These petitions have not been listed for today. However, the option to adopt the same counter affidavit for the present petition has been exercised. Respondent No. 1 is otherwise common to the present petitions listed as on date. Appropriate steps be taken for the purpose.

Counter affidavit of Respondent Nos. 2 and 3 is awaited. Be filed within four weeks time as last opportunity."

SLP(C) No. 23867 of 2008

It is submitted that there are 5 respondents. Respondent No. 1 is represented by Mr. Senthil Jagadeesan, Advocate but he has not filed counter affidavit. Respondent Nos. 4 and 5 have been deleted vide this Court's order dated 8th May, 2009. In respect of Respondent No. 2, which is common Respondent No. 3 in connected matter i.e. SLP No. 26779 of 2008, service of notice is complete by way of courier receipt. Respondent No. 3 viz. (The State of Tamil Nadu Public Service Commission) which is petitioner in connected matter, i.e. SLP(C) No. 26779 of 2008.

SLP(C) No. 23868 of 2008

It is submitted that there are 75 respondents. Respondent Nos. 5 to 75 have been deleted vide this Court's order dated 8th May, 2009. Accordingly, cause title has been amended and included in the Special Leave Petition paper books. Respondent No. 1, which is common in SLP(C) No. 1985 of 2008, is represented by Mr. Senthil Jagadeesan, Advocate. Respondent No. 2 (The State of Tamil Nadu represented by the Commissioner) which is common respondent no. 3 in SLP no. 26779 of 2008 and service is complete by way of courier receipt. Respondent No. 3 who is Respondent No. 2 in connected SLP(C) Nos. 1984-1985 of 2008 and service is complete by way of courier receipt. Respondent No. 4 who is common Petitioner No. 2 in SLP(C) No. 1985 of 2008.

It is further submitted that Mr. Senthil Jagdeeshan, Counsel for Respondent No. 1 has on 7th August, 2009 filed application for permission to place on record additional documents with annexures A and B and thereafter counsel for the petitioner has on 26th August, 2010 filed application for stay alongwith application for permission to file additional documents, which are registered as Interlocutory Application Nos. 31-32 and 33-34 respectively. Thereafter, the applications were mentioned before the Hon'ble Court on 8th September, 2010, when the Hon'ble Court has directed to list the applications alongwith the main matter.

SLP(C) Nos. 26779-26780 of 2008

The matters above mentioned was listed before the Hon'ble Court on 3th November, 2008, when the Hon'ble Court was pleased to pass the following order:-

"Issue notice on the application for condonation of delay as well as on the special leave petition.

Tag with SLP (C) Nos. 1984-1985 of 2008."

Thereafter, the matters above mentioned were listed with main matter i.e. SLP (C) No. 1984-85 of 2008 before the Hon'ble Judge-in-Chambers on 21st August, 2014, when His Lordship was pleased to pass the following order:-

"Since 13th July, 2011 this Court has allowed sufficient time to the petitioners to file proof of service of dasti summons but nothing has been done. Hence, these special leave petitions are dismissed for non prosecution as against unserved respondents."

SLP(C) No. 26779 of 2008

It is submitted that there are five respondents. Respondent No. 1 is represented by Mr. Senthil Jagadeesan, Advocate and he has also filed counter affidavit and copy of the same has already been included in Special Leave Petition paper books. Courier receipts and A.D. cards have been received back from respondent Nos. 3 and 5 but no one has entered appearance so far. Special Leave Petitions have been dismissed against unserved respondent Nos. 2 and 4 vide this Court's order dated 21st August, 2014.

SLP(C) No. 26780 of 2008

It is submitted that there are 75 respondents. Respondent No. 1 is represented by Mr. Senthil Jagadeesan, Advocate but he has not filed Counter Affidavit so far. Courier receipts and A.D. cards have been received back from respondent Nos. 3, 4, 6, 7, 10 to 13, 15 to 17, 19, 26 to 31, 34, 36 to 38, 41 to 45, 47, 49, 51, 52, 55, 56, 60, 61, 63 to 67, 69, 72, 73 and 75 but no one has entered their appearance so far. SLP dismissed for non prosecution against respondent Nos. 2, 5, 8, 9, 14, 16, 18, 20 to 25, 32, 33, 35, 39, 40, 46, 48, 50, 53, 54, 57 to 59, 62, 68, 70, 71 and 74.

Service is complete.

The matters along with applications are listed before the Hon'ble Court with this office report.

Dated this, the 2nd day of July, 2015.

ASSISTANT REGISTRAR

COPY TO:

1. Mr. B. Balaji, Advocate
2. Mr. Senthil Jagadeesan, Advocate
3. Mr. G. Balaji, Advocate
4. Ms. Liz Mathew, Advocate
5. Mr. Satya Mitra Garg, Advocate

ASSISTANT REGISTRAR

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