

SECTION XII

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

INTERLOCUTORY APPLICATION NOS. 15-16

(Application for modification/clarification of order dated 30.6.2014 in Civil Appeal Nos. 5877-5878 of 2014)

AND

INTERLOCUTORY APPLICATION NOS. 17-18

(Application for modification/clarification of order dated 30.6.2014 in Civil Appeal Nos. 5877-5878 of 2014 filed by Mr. B. Balaji, Advocate)

AND

INTERLOCUTORY APPLICATION NOS. 19-20

(Application for intervention in Civil Appeal Nos. 5877-5878 of 2014 filed by Mr. Subhashish Bhowmick)

WITH

INTERLOCUTORY APPLICATION NOS. 23-24

(Application for modification/clarification of order dated 30.6.2014 in Civil Appeal Nos. 5880-5881 of 2014)

WITH

CONTEMPT PETITION D. NO. 31358 OF 2014 IN INTERLOCUTORY APPLICATION NO. 24 OF 2014

WITH

INTERLOCUTORY APPLICATION NOS. 41-42

(Application for modification/clarification of order dated 30.6.2014 in Civil Appeal Nos. 5882-5883 of 2014)

WITH

INTERLOCUTORY APPLICATION NOS. 43-44

(Application for permission to file additional affidavit in Interlocutory Application Nos. 41-42 in Civil Appeal Nos. 5882-5883 of 2014)

WITH

CONTEMPT PETITION D. NO. 31357 OF 2014 OF 2014 IN CIVIL APPEAL NOS. 5882-5883 OF 2014

WITH

REVIEW PETITION NOS. 2628-2629 OF 2014

AND

REVIEW PETITION NOS. 201-202 OF 2015

WITH

INTERLOCUTORY APPLICATION NO. 3

(Application for modification/clarification in Civil Appeal No. 5879 of 2014)

WITH

REVIEW PETITION NO. 2624 OF 2014

WITH

INTERLOCUTORY APPLICATION NO. 3

(Application for modification/clarification in Civil Appeal No. 5884 of 2014)

CIVIL APPEAL NOS. 5877-5878 OF 2014

WITH

REVIEW PETITION NOS. 2025-2026 OF 2014 IN CIVIL APPEAL NOS. 5877-5878 OF 2014

WITH
REVIEW PETITION NOS. 2232-2233 OF 2014 IN CIVIL APPEAL NOS.
5877-5878 OF 2014

WITH
REVIEW PETITION NO. 2119 OF 2014

WITH
REVIEW PETITION NO. 2424 OF 2014

WITH
REVIEW PETITION NO. 2119 OF 2014 IN CIVIL APPEAL NO. 5884 OF
2014

WITH
INTERLOCUTORY APPLICATION NOS. 1-2 (in Interlocutory Application
Nos. 15-16 in Civil Appeal No. 5877-5878 of 2014)
(Application for U/S 340, r/w Sec. 195 CrPC, 1973 cause
initiation of criminal proceedings against the respondents Under
Sec. 193 of IPC)

WITH
INTERLOCUTORY APPLICATION NOS. 3-4 (in Interlocutory Application
Nos. 15-16 in Civil Appeal No. 5877-5878 of 2014)
(Application for recall of Hon'ble Court's order dated
21st January, 2015)

WITH
INTERLOCUTORY APPLICATION NOS. 5-6 (in Interlocutory Application
Nos. 15-16 in Civil Appeal No. 5877-5878 of 2014)
(Application for recall of Hon'ble Court's order dated
21st January, 2015)

WITH
INTERLOCUTORY APPLICATION NOS. 7-8 (in Interlocutory Application
Nos. 15-16 in Civil Appeal No. 5877-5878 of 2014)
(Application for recall of Hon'ble Court's order dated
21st January, 2015)

WITH
INTERLOCUTORY APPLICATION D. NO. 34705 of 2015 (in Interlocutory
Application Nos. 15-16 in Civil Appeal No. 5877-5878 of 2014)
(Application for U/S 340, r/w Sec. 195 CrPC, 1973 cause
initiation of criminal proceedings against the respondents Under
Sec. 193 of IPC)

Secretary Tamil Nadu Public
Service Commission

.....Appellant

Versus

A.B. Natarajan & Ors. etc.

....Respondents

OFFICE REPORT

The Interlocutory Applications above mentioned were listed before the Hon'ble Court on 21st January, 2015, when the Hon'ble Court was pleased to pass the following Order:-

"In pursuance of notice issued on 19.11.2014 to the Union Public Service Commission (in short, "UPSC", Ms. Binu tamta, learned counsel, has appeared for the UPSC.

Heard the learned counsel appearing for all the parties at length.

Upon hearing the learned counsel for the parties, we find that in all 91 candidates' answer sheets were in dispute. Out of the said 91 candidates' whose answer sheets were questioned, it has been submitted at the Bar that 15 candidates have already resigned, while 3 candidates did not join service and eight candidates have been declared successful by the High Court. Thus, in all, the dispute is with regard to 65 answer sheets.

It is directed that the said answer sheets shall be forwarded by the Tamil Nadu Public Service Commission (in short, "TNPSC") to the UPSC for the following purpose :-

The UPSC shall forward the said answer sheets to an expert, who shall not re-examine those answer sheets but shall examine whether the candidates answering the questions had given any indication in the answer sheets to reveal their identity. The expert shall also note the fact that the High Court had examined the answer sheets and had cleared 8 answer sheets, wherein the candidates had not given any indication with regard to their identity. The expert shall forward his report to the UPSC and the said report shall be forwarded by the UPSC along with its comments in a sealed cover to this Court.

The expert shall look into the said 8 answer sheets for the purpose of ascertaining the basis upon which, the said eight answer sheets were found flawless and follow the same criteria.

The TNPSC shall forward the 8 answer sheets which have been cleared by the High court of Madras to the UPSC. Thus, two sets of answer sheets, namely, 65 & 8 shall be put in two separate sealed covers and be forwarded to the UPSC along with all the instructions which had been given to the candidates who had undertaken the examination within two weeks from today.

The UPSC shall complete the aforesaid exercise within two months from the date of receipts of the aforesaid material by it.

List on 06.05.2015 at 02.00 PM.

Interim order, granted on 27.08.2014, shall continue. "

It is submitted that in compliance to above quoted order, certified copies of the record of proceedings has been sent to the High Court of Madras as well as Secretary, Union Public Service Commission but report from the Secretary, Union Public Service Commission has not been received so far.

It is further submitted that Mr. R.V. Kameshwaran Ayyar, Advocate has filed two applications, one application Under Section 340, r/w Sec. 195 CrPC, 1973 to cause initiation of criminal proceedings against the respondents Under Sec. 193 of IPC for offences of giving and fabricating false evidence and another application for recall of Hon'ble Court' s order dated 21st January, 2015 in the matters above mentioned. Both the applications have been registered as Interlocutory Application Nos. 1-2 and 3-4 respectively.

It is further submitted that M/s. Ravindra Keshavrao Adsure and Varinder Kumar Sharma, Advocates have filed applications to recall of Hon'ble Court's order dated 21st January, 2015 and the same have been registered as Interlocutory Application Nos. 5-6 and 7-8 respectively.

It is further submitted that Mr. Jogy Scaria, Advocate for proposed intervenors has filed applications Under Section 340, r/w Sec. 195 CrPC, 1973 to cause initiation of criminal proceedings against the respondents Under Sec. 193 of IPC. He has filed the applications in Interlocutory Application Nos. 19-20 (application for Intervention), which is pending. Therefore, unregistered Interlocutory Applications are placed for kind perusal of the Hon'ble Court.

The applications alongwith review petitions and contempts in the matters above mentioned are listed before the Hon'ble Court with this office report.

Dated this, the 5th day of May, 2015

COPY TO:

Mr. M. Yogesh Kanna, Advocate
Mr. B. Balaji, Advocate
Mr. Balaji Srinivasan, Advocate
Mr. B. Ramanamurthy, Advocate
MS. T. Anamika, Advocate
Mr. C.K. Sasi, Advocate
Ms. Geetha Kovilan, Advocate
Mr. Sureshan P., Advocate
Mr. V.G. Pragasam, Advocate
Mr. Ashok k. Mahajan, Advocate
Ms. Binu Tamta, Advocate
Ms. R.V. Kameshwaran Ayyar, Advocate
Mr. Ravidar K. Adsure, Advocate
Mr. Jogya Scaria, Advocate
Mr. Varinder K. Sharma, Advocate
ASSISTANT REGISTRAR

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