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SLP(C)No. 12224 OF 2003  
ITEM NO.1 Court No. 3 SECTION XII/X

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.12224/2003  
(From the judgement and order dated 11/07/2003 in WP 18941/03  
of The HIGH COURT OF MADRAS)

T.K. RANGARAJAN

Petitioner (s)

VERSUS

GOVT. OF TAMIL NADU & ORS.

Respondent (s)

( With Appln(s). for exemption from filing c/c of the impugned Judgment and With prayer for in  
terim relief)

With

W.P(C)No.298/2003 (with appln.for ex-parte stay),SLP(C)No.12577/03, (With prayer for interim r  
elief),W.P(C)No.308/2003 (with appln.for ex-pate stay)  
SLP (C) No.13102/2003 (with prayer for interim relief)

Date.24/07/2003 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE M.B. SHAH  
HON'BLE DR. JUSTICE AR. LAKSHMANAN

For Petitioner (s) Dr.Rajeev Dhawan,Sr.Adv.,  
Mr. S.R. Setia,Adv.

Mr.P.Chidambaram,Sr.Adv.,  
Ms.Nalini Chidamabaram,Sr.Adv.,  
Mr.B V.Desai,Mr.Sanjeev Kr.Singh,Advs.

Mr.T.R. Andhayarujina,Sr.Adv.,  
Mr.R. Mohan,Sr.Adv.,  
Mr.V.G. Pragasam,Adv.

Ms. Indu Malhotra,Adv.

Mr.B.K Pal,Adv.  
Mr. P.N. Jha, Adv.

For Respondent (s)

Mr.K.K. Venugopal,Sr.Adv.,

Mr.P.P Rao,Sr.Adv.,  
Mr.T.R. Chandran,Adv.Genl.Tamil Nadu,  
Mr.Somaya Julu,Sr.Adv.,  
Mr.Jyotish,Mr.P.N.Ramalingam,Advs.

UPON hearing counsel the Court made the following

O R D E R

Heard the learned counsel for the parties.

Mr.K.K. Venugopal, the learned senior counsel appearing for the State of Tamil Nadu after obta  
ining necessary instructions states that:

1. The State Government will re-instate all the government employees who are dismissed becau  
se they had gone on strike, except (i) 2,200 employees who had been arrested and (ii) employ  
ees against whom FIR had been lodged.

2.This reinstatement in service would be subject to unconditional apology as well as undertak  
ing to the effect that employees would abide by Rule 22 of the Tamil Nadu Government Servants  
Conduct Rules 1973 which provides as under:

"22.Strikes No Government servant shall engage himself in strike or in incitements thereto or in similar activities.

Explanation - For the purposes of this rule the expression 'similar activities' shall be deemed to include the absence from work or neglect of duties without permission and with the object of compelling something to be done by his superior officers or the Government or any demonstrative fast usually called "hunger strike" for similar purposes.

It is also stated that Government will proceed under the Disciplinary Rules only against those employees who had indulged in violence and who had incited the other employees to go on strike.

From 25th July such employees would be reinstated in service subject to their giving unconditional apology for resorting to strike and also an undertaking to the effect that in future he would abide by Rule 22.

He also states that for the employees who would be reinstated in service with regard to the period for which they remained absent, appropriate order would be passed by the State Government for regularisation their absent. However, this would not be treated as a break in service.

Ordered accordingly.

For further orders and directions list the matters on 31.7.2003.

(Vijay Kumar Sharma)(Janki Bhatia)  
AR-cum PS to Hon.Judge Court Master