

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.01.2021

CORAM :

The Hon'ble Mr.SANJIB BANERJEE, THE CHIEF JUSTICE

AND

The Hon'ble Mr.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.Nos.9883, 6037 and 10863 of 2020

and WMP Nos. 12009,12010, 7086, 13183 and 13185 of 2020

Recovery Tribunal Advocates
Association Rep. by its Secretary
C. Ramaiah S/o. Chellaiah Deva Towers
6th Floor 770/A
Anna Salai Chennai 600 002 ...Petitioner in
W.P.No.9883 of 2020

Revenue Bar Association,
rep. By its Secretary,
K.A.Parthasarathi ... Petitioner in
W.P.No.6037 of 2020

Service Bar Association
Rep by its President L. Chandrakumar
S/o C.P. Lakshmanaswamy,
No.201,Velachery Main Road, Velachery,
Chennai - 600 042. Petitioner in
W.P.No.10863 of 2020

Vs

- 1 Union of India represented
By its Secretary Department of Revenue
No. 137 North Block New Delhi 110 001
- 2 Union of India represented
By its Secretary Ministry of Law and justice
4th Floor Prasad Road Shastri Bhavan
New Delhi 110 001 ... Respondents in
all the writ petitions

Writ Petitions filed under Article 226 of Constitution of India praying to issue Writs of Declaration declaring the Tribunal Appellate Tribunal and other Authorities (Qualification Experience and other Conditions of Service of Members) Rules 2020 vide first respondents impugned

Notification No. GSR 109 (E) dated 12.02.2020 and that of Notification F.No. 7/3/2020-DRT dated 23.06.2020 No.A.11013/2019-At dated 27.07.2020 as null and void defective and unconstitutional being violative of Articles 14, 21, 50 of the Constitution of India and the Doctrine of Separation of Powers and Independence of Judiciary which are part of Basic Structure of the Constitution of India and further contrary to the principles laid down by the Honble Supreme Court in Union of India Vs. R. Gandhi and Rojer Mathew vs. South Indian Bank ltd in Civil Appeal No. 8588 of 2019 dated 13.11.2019.

For Petitioner : Mr.L. Chandrakumar,
for petitioner in W.P.No.9883 of 2020
Mr.V.Vijayashankar,
for petitioner in W.P.No.10863 of 2020
Mr.Rahul Unnikrishnan,
for petitioner in W.P.No.6037 of 2020

For Respondents : Mr.R. Sankaranarayanan
Addl.Solicitor General
assisted by
Mr.Ramachandrmoothy

COMMON ORDER

(Made by The Hon'ble Chief Justice)

It is submitted by learned Additional Solicitor-General that the substance of the petition has been dealt with by the Supreme Court in the judgment rendered on November 27, 2020 in W.P.No.804 of 2020. The other appearing parties also agree that the matter in issue has been dealt with by the Supreme Court in the relevant judgment. As a consequence, W.P.No.9883 of 2020 and the related matters are disposed of. The interim applications are closed. There is no order as to costs.

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

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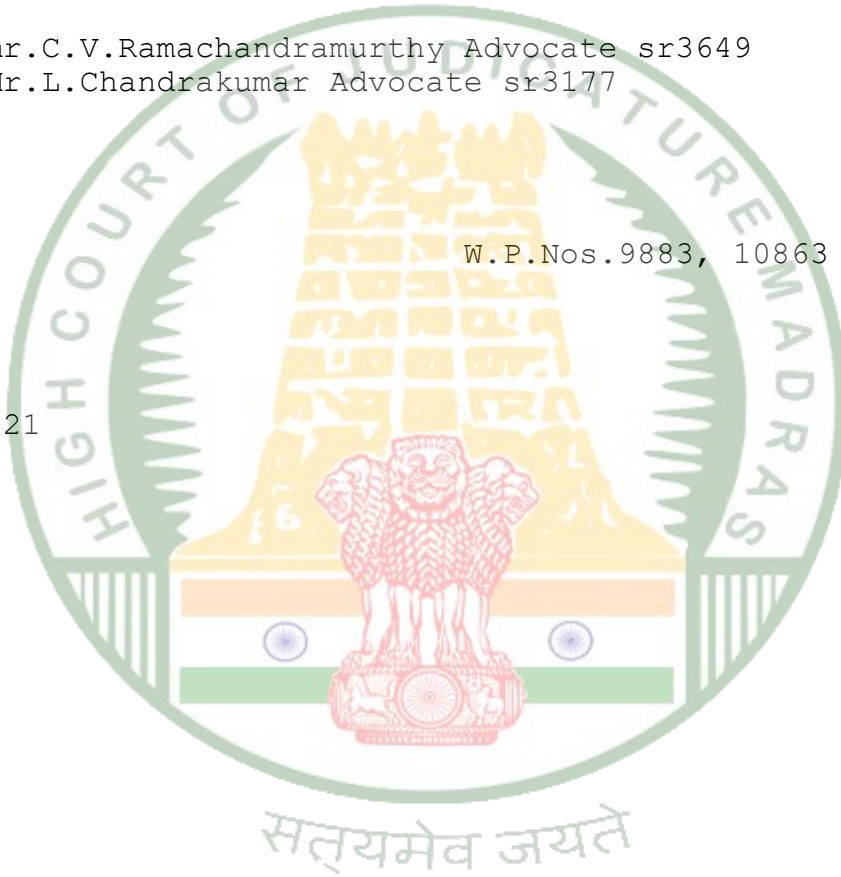
The Secretary
Department of Revenue
No.137 North Block
New Delhi 110 001

2 The Secretary
Ministry of Law and Justice
4th Floor Prasad Road Shastri Bhavan
New Delhi 110 001

+1 cc to mr.C.V.Ramachandramurthy Advocate sr3649
+1 cc to Mr.L.Chandrakumar Advocate sr3177

W.P.Nos.9883, 10863 & 6037/2020

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aa11/02/2021



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