

REVISED

ITEM NO.2

COURT NO.1

SECTION III-A

**S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S**

Civil Appeal No(s). 1867/2006

MALIK MAZHAR SULTAN & ANR.

Appellant(s)

VERSUS

**U.P. PUBLIC SERVICE COMMISSION THROUGH ITS SECRETARY &
ORS.Respondent(s)**

**([Civil Appeal with reference to the High Court of Judicature at
Madras and I.A NOs.51919,51992 and 52071/23 are listed]
(IA No. 52071/2023 - APPROPRIATE ORDERS/DIRECTIONS IA No.51992/2023
- INTERVENTION/IMPLEADMENT IA No. 51919/2023 - INTERVENTION/
IMPLEADMENT)**

Date : 09-11-2023 These matters were called on for hearing today.

**CORAM : HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE J.B. PARDIWALA
HON'BLE MR. JUSTICE MANOJ MISRA**

Mr. Vijay Hansaria, Sr. Adv (AC)

For Appellant(s) Mr. Ejaz Maqbool, AOR

**For Respondent(s) Mr. Lakshmi Raman Singh, AOR
Mr. Prakash Kumar Singh, AOR
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Mrs. Lalita Gupta, Adv.
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Mr. Gaichangpou Gangmei, AOR**

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

State of Tamil Nadu

High Court of Judicature at Madras

- 1 The position in the State of Tamil Nadu in regard to the unfilled vacancies in the district judiciary is indicated in the report which has been filed by the Registrar General of the High Court on 11 October 2023. The annexure to the report indicates that out of a sanctioned strength of 1369 judicial officers comprised in the cadre of District Judge, Senior Civil Judge and Junior Civil Judge, there are 327 vacancies (approximately 23% of the sanctioned strength).
- 2 In the cadre of District Judge, out of the sanctioned strength of 349, there are 84 vacancies (the counsel indicates that there are 02 more vacancies which are being added, making a total of 86 vacancies). In the cadre of Senior Civil Judge, out of a sanctioned strength of 364, here are 77 vacancies. In the cadre of Junior Civil Judge, out of a sanctioned strength of 656, there are 166 vacancies.

Junior Civil Judge

- 3 There are 245 vacancies. The Main written examination has been held on 4 and 5 November 2023 and the viva-voce is to be held on 11 December 2023.
- 4 The process shall be concluded positively on or before 31 December 2023. Appointment orders shall be issued before the end of February 2024.

Senior Civil Judge

- 5 The process is awaiting the filling up of vacancies in the cadre of Junior Civil Judge in view of the large number of vacancies in the feeder cadre.

District Judge

- 6 (i) In the 25% Direct Recruitment—50 vacancies were advertised and the preliminary examination has been concluded. The main written examination is scheduled to take place on 2 and 3 December 2023. The viva-voce is to take place on 21 January 2024.

The entire selection process shall be concluded no later than by 31 March 2024.

- (ii) District Judge 10% Limited Competitive Examination—The written examination is due to take place on 23 December, 2023.

The entire process shall be concluded not later than by 31 March 2024.

- (iii) District Judge 65% Promotion Cadre—Though there are 17 vacancies, the vacancies have not been filled up immediately due to the vacancies in the feeder cadre.

The High Court shall proceed to take expeditious steps after the vacancies in the feeder cadre are filled up.

- 7 On the aspect of infrastructure, it has been agreed that Mr Anandh Kannan, counsel appearing on behalf of the High Court of Judicature at Madras and Mr Amit Anand Tiwari, Additional Advocate General for the State of Tamil Nadu shall meet the Registrar General of the High Court and the Chief Secretary of the State of Tamil Nadu to facilitate due and proper steps being taken on the infrastructural issues pertaining to the District Judiciary, including the allotment of suitable land as may be identified by the High Court by the concerned Collectors/District Magistrates. Mr Anandh Kannan and Mr. Amit Anand Tiwari have agreed to do so and to submit a report to this Court on or before 7 December 2023. The report shall be taken up when the proceedings are listed after that date.

Union Territory of Puducherry

- 8 On 19 October 2023, a select list of 15 candidates selected has been forwarded to the Chief Secretary. The notification of appointment shall be made on or before 31 December 2023.
- 9 On the aspect of infrastructure, it has been agreed that Mr Anandh Kannan, counsel appearing on behalf of the High Court of Judicature at Madras and Mr

Anandh Selvaraj, Additional Advocate General shall meet the Registrar General of the High Court and the Chief Secretary of the Union Territory of Puducherry to facilitate due and proper steps being taken on the infrastructural issues pertaining to the District Judiciary, including the allotment of suitable land as may be identified by the High Court by the concerned Collectors/District Magistrates. Mr Anandh Kannan and Mr. Amit Anand Tiwari have agreed to do so and to submit a report to this Court on or before 7 December 2023. The report shall be taken up when the proceedings are listed after that date.

- 10 List the Appeal on 24 November 2023 for considering the position in relation to the States of Jharkhand, Karnataka, and Kerala.
- 11 Mr. Gaurav Agrawal, Amicus Curiae is requested to assist the Court on the next date of listing.

(GULSHAN KUMAR ARORA)
AR-CUM-PS

(SAROJ KUMARI GAUR)
ASSISTANT REGISTRAR

ITEM NO.2

COURT NO.1

SECTION III-A

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

Civil Appeal No(s). 1867/2006

MALIK MAZHAR SULTAN & ANR.

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VERSUS

U.P. PUBLIC SERVICE COMMISSION THROUGH ITS SECRETARY &
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- (iii) District Judge 65% Promotion Cadre—Though there are 17 vacancies, the vacancies have not been filled up immediately due to the vacancies in the feeder cadre.

The High Court shall proceed to take expeditious steps after the vacancies in the feeder cadre are filled up.

- 7 On the aspect of infrastructure, it has been agreed that Mr Anandh Kannan, counsel appearing on behalf of the High Court of Judicature at Madras and Mr Amit Anand Tiwari, Additional Advocate General for the State of Tamil Nadu shall meet the Registrar General of the High Court and the Chief Secretary of the State of Tamil Nadu to facilitate due and proper steps being taken on the infrastructural issues pertaining to the District Judiciary, including the allotment of suitable land as may be identified by the High Court by the concerned Collectors/District Magistrates. Mr Anandh Kannan and Mr. Amit Anand Tiwari have agreed to do so and to submit a report to this Court on or before 7 December 2023. The report shall be taken up when the proceedings are listed after that date.

Union Territory of Puducherry

- 8 On 19 October 2023, a select list of 15 candidates selected has been forwarded to the Chief Secretary. The notification of appointment shall be made on or before 31 December 2023.
- 9 On the aspect of infrastructure, it has been agreed that Mr Anandh Kannan, counsel appearing on behalf of the High Court of Judicature at Madras and Mr

Anandh Selvaraj, Additional Advocate General shall meet the Registrar General of the High Court and the Chief Secretary of the Union Territory of Puducherry to facilitate due and proper steps being taken on the infrastructural issues pertaining to the District Judiciary, including the allotment of suitable land as may be identified by the High Court by the concerned Collectors/District Magistrates. Mr Anandh Kannan and Mr. Amit Anand Tiwari have agreed to do so and to submit a report to this Court on or before 7 December 2023. The report shall be taken up when the proceedings are listed after that date.

- 10 List the Appeal on 24 November 2023 for considering the position in relation to the States of Jharkhand, Maharashtra and Kerala.
- 11 Mr. Gaurav Agrawal, Amicus Curiae is requested to assist the Court on the next date of listing.

(GULSHAN KUMAR ARORA)
AR-CUM-PS

(SAROJ KUMARI GAUR)
ASSISTANT REGISTRAR