

IN THE HIGH COURT OF JUDICATURE AT PATNA

CWJC No.2203 of 2005

1. MR.ANJANI KUMAR NATHANI S/O LATE NAND LAL NATHANI, PURANI GUDRI ROAD, MUZAFFERPUR 842002
2. MR. ASHOK KUMAR S/O LATE HARSHA VARDHAN DEVA, NAI BAZAR, NEAR JUMMA MAZID, MUZAFFERPUR 842001
3. MR. SITESH KUMAR S/O SRI SHANBHU NATH MAHTHA, SAESWATI PRESS LANE, PURANI BAZAR, MUZAFFERPUR 842001
4. MR. ANIL KUMAR NATHANI, S/O LATE TULSI RAM NATHANI, PURANI GUDRI ROAD, MUZAFFERPUR 842001
5. MR. ANIL KUMAR, S/O LATE PARMESHWAR GORAIN, AT MOHALA RAMRAJI ROAD MARIPUR, MUZAFFERPUR 842001
6. ANIL KUMAR JAISWAL S/O SRI SHIVJEE PRASAD JAISWAL, C/O SRI SHIVJI PRASAD CHOWDHARY, MUZAFFERPUR 842001
7. MR. ASHOK KUMAR SINGH, S/O LATE RAJENDRA SINGH, VIA BAGHI, POST BAHURA ISMAIL, MUZAFFERPUR 842001
8. MR. RAM EKWAL SAH S/O SRI BALI RAM SAH, AT & P.O. PALDAURA, VIA BAJPATTI, SITAMARHI-843314
9. MR. RASHMI RANJAN S/O SRI OM PRAKASH, “ PRAKASH NIKETAN”, A.P. LANE, MOTIJHEEL, MUZAFFERPUR 842001
10. MR. MUKHTESHWAR PRASAD VERMA, S/O SRI JAGANNATH PRASAD VERMA, BHAGWAT BHAWAN, RASULPUR ZILANI, MAJHAUBA ROAD, MUZAFFERPUR 842001
11. MR. PRAKASH NARAYAN S/O LATE DR. HARI NARAYAN, FLAT NO.14, PUSKAR APARTMENTS, GANDHI MURTI, PATEL NAGAR EAST, PATNA 800023
12. MR. RAJENDRA KUMAR SINGH S/O MR. SATYANARAYAN SINGH, MARCAN BUILDING, DEHARIA CHAWK, KATI HAR 854105
13. MR. SUDHIR KUMAR VERMA, S/O LATE RAGHUNANDAN PRASAD VERMA, PLOT NO.96, ROAD NO.21, SHRI KRISHNA NAGAR, PATNA 800001.
14. MR. MRITUNJAY KUMAR SINGH, S/O SRI RAJENDRA PRASAD SINGH, SHISHU AROGYA NIKETAN, C/O DR. N.P. SINGH, BHAIASOOR, CHAWK, BIHARSHARIF, NALANDA 803101
15. MR. KAMAL KANT SINHA, S/O SRI MATHURA PRASAD SINHA, SHANTI MATHURA NIWAS, PANCHWATI NAGAR, EAST BAHADURPUR, PATNA 800016
16. MR ASHWINI KUMAR S/O LATE SURENDRA SHANKER SINGH, NEAR GIRLS HIGH SCHOOL, MOHANIA, KAIMUR (BHABHUA)
17. MR. SATYENDRA KUMAR SINHA, S/O SRI RAJ KISHORE SINHA, 39 RAJENDRA PATHA, NEAR HP GAS GODOWN, NORTH S K PURI, PATNA 800 013.
18. MR. SATISH KUMAR, S/O SRI CHANDRADEO SINGH, RAMJAIPAL NAGAR, GOLA ROAD, WEST OF CANAL, BAILEY ROAD, PATNA 800001.

19. MR. AJEET PRASAD, S/O LATE RAMESHWAR PRASAD, RAMPATI BHAWAN, BHATTABAZAR, PURNEA 854301.
20. MR. MITHILESH KUMAR SINGH, S/O SRI BISHWANATH PRASAD SINGH, SHIVPURI, BHATTABAZAR, NORTH OF KALI FLOUR MILLS, PURNEA 854301
21. MR. BINOY KUMAR S/O SRI BRIJENDRA KUMAR C/O LATE S N SINHA, NEAR R K MISSION, BHATTABAZAR, PURNEA 854301.
22. MR. AJAY KUMAR SINGH, S/O LATE JALESHWAR SINGH C/O MR. K K SINHA, OPPOSITE NILGIR CHAWK, KRISHNA PUSHPA, EAST BORING CANAL ROAD, PATNA 800001.
23. MR. RAJESH CHANDRA RAJEEV S/O SRI KALIKA TRIPATHI 17/33 WAANI SADAN, SONAR TOLI, AT & PO SASARAM 821115.
24. MR. DHIRENDRA SINGH S/O LATE SRI NIWAS SINGH, 106(B) HARI OM APARTMENTS, EXHIBITION ROAD, PATNA 800001.....PETITIONERS.

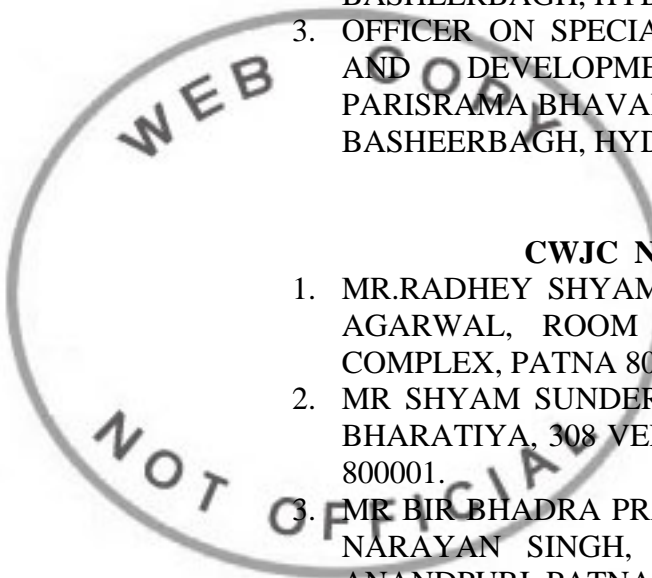
Versus

1. THE UNION OF INDIA THROUGH THE SECRETARY, MINISTRY OF FINANCE, GOVERNMENT OF INDIA, NEW DELHI.
2. INSURANCE REGULATORY AND DEVELOPMENT AUTHORITY, THROUGH ITS CHAIRMAN, PARISRAMA BHAVANAM, 3RD FLOOR, 5-9-58/B, FATEH MAIDAN ROAD, BASHEERBAGH, HYDERABAD 500004
3. OFFICER ON SPECIAL DUTY, INSURANCE REGULATORY AND DEVELOPMENT AUTHORITY, 3RD FLOOR, PARISRAMA BHAVANAM, 5-9-58/B, FATEH MAIDAN ROAD, BASHEERBAGH, HYDERABAD 500004
.....RESPONDENTS.

with

CWJC No.2253 of 2005

1. MR.RADHEY SHYAM AGARWAL S/O LATE RAM KUMAR AGARWAL, ROOM NO.60, BLOCK B, MAURYA LOK COMPLEX, PATNA 800001
2. MR SHYAM SUNDER BHARTIA S/O SRI GOVIND PRASAD BHARATIYA, 308 VERMA CENTRE, BORING ROAD, PATNA 800001.
3. MR BIR BHADRA PRASAD SINGH S/O SRI RAM INDERDEO NARAYAN SINGH, 145 WEST BORING CANAL ROAD, ANANDPURI, PATNA 800001
4. MR. RAM PRIT SINGH, S/O LATE SUBH NARAYAN SINGH, ABOVE RIM-ZIM POLICE OUTPOST OF S.K. PURI, BORING ROAD, PATNA 800001
5. MR. HARE KRISHNA SINGH S/O LATE RAM PRASAD SINGH C/O M/E SATYA NARAYAN GRAIN STORE, GOLA ROAD, BEGUSARAI, BIHAR 851101.
6. MR. SHEO SHANKER PRASAD S/O LATE DINESH PRASAD, 6D GANDANIBAGH, CHATTERJEE LANE, PATNA 800001
7. MR. SHASHI BHUSHAN PRASAD YADAV S/O LATE BHAIRAV ROY, 513 PUNJABI COLONY STREET NO.3, SAMASTIPUR 848101



8. MR. NAWAL KISHORE S/O SRI YAMUNA PRASAD C/O SHIKSHA VIKAS VIDYALAYA, INDIRA NAGAR, ROAD NO.1, PATNA 800001.
9. MR. BALBIR SINGH S/O SRI AKHILESHWAR PRASAD SINGH, NEAR LOYALA SCHOOL KURJI PATNA 800010
10. MR. BISHESHWAR NATH MALLIK, S/O LATE JAG NARAYAN MALLIK, ROAD NO.1B ASHOK NAGAR, KANKARBAGH, PATNA 800020
11. MR. BINOY KUMAR SINHA S/O LATE TRIPURARI PRASAD, "TRISHNAT BHAWAN", NO.1-A SAHYOGPURI, CHITRAGUPTA NAGAR, PATNA 800020
12. MR. ASHOK KUMAR SINGH S/O DR. M.P. SINGH, PUNAICHAK, SAVITI SADAN, PATNA PIN 800023
13. MR. BINOD KUMAR SINHA, S/O SRI JAGDEO SINHA, RAJAPUR GATE NO.32, PATNA PIN 800001
14. ER. ASHOK KUMAR S/O LATE DR. MATHURA PRASAD, C/O MARTAND ARYUVED AUSADHALYA, PIRMOHANI 800003
15. MR. SUNIL KUMAR CHHAPOLIA, S/O SRI OM PRAKASH CHHAPOLIA, 324 ASHOKA PLACE, EXHIBITION ROAD, PATNA 800001.....PETITIONERS.

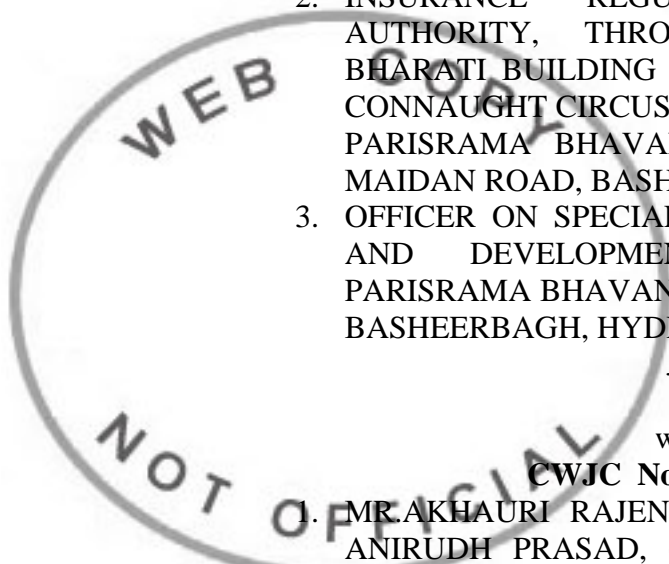
Versus

1. THE UNION OF INDIA THROUGH THE SECRETARY, MINISTRY OF FINANCE, GOVERNMENT OF INDIA, NEW DELHI.
2. INSURANCE REGULATORY AND DEVELOPMENT AUTHORITY, THROUGH ITS CHAIRMAN, JEEVAN BHARATI BUILDING TOWER NO.1, GROUND FLOOR, 124, CONNAUGHT CIRCUS, NEW DELHI-110001, AT PRESENT AT PARISRAMA BHAVANAM, 3RD FLOOR, 5-9-58/B, FATEH MAIDAN ROAD, BASHEERBAGH, HYDERABAD 500004
3. OFFICER ON SPECIAL DUTY, INSURANCE REGULATORY AND DEVELOPMENT AUTHORITY, 3RD FLOOR, PARISRAMA BHAVANAM, 5-9-58/B, FATEH MAIDAN ROAD, BASHEERBAGH, HYDERABAD 500004
.....RESPONDENTS.

with

CWJC No.2307 of 2005

1. MR. AKHAURI RAJENDRA KUMAR S/O SHRI AKHAURI ANIRUDH PRASAD, 68 MANI ROAD, MURARPUR, NEW ARBIND STUDIO, GAYA 823001
2. MR. KISHORI MOHAN SINHA S/O LATE NANHAK YADAV, LIG FLAT NO.154, A.P. COLONY, P.O. RAMPUR, GAYA 823001
3. MR. KHURSHID ALAM SIDDIQUI S/O MR. MAHFOOZ ALAM SIDDIQU, ASMA VILLA, NAGMATIA ROAD NO.2, NEW KARIMGANJ, GAYA 823001
4. MR. RAM SWAROOP DHOOPER, S/O LATE SITA RAM DHOOPER, NOOR COMPOUND DAK, BUNGALOW ROAD, CIVIL LINES GAYA 823001.



5. MR. INDRA MOHAN PRASAD S/O LATE SAHDEO PRASAD, QR. NO.5, MONTESSORI LANE, BORING ROAD, PATNA 800001.
6. MR. SATISH KUAMR S/O LATE CHATU MEHTA, 57 SATISH SADAN, VEER KUNWAR SINGH COLONY, GAYA – SHERGHATI ROAD, GAYA 823004.
7. MR. KAUSHLENDRA NARAYAN SINGH S/O SRI RAMN RATAN SINGH, BHIMDASPUR NIWAS LAKHIBAG, MANPUR, DALMIA CAMPUS NO.1, BUNIYADGANJ, GAYA 823003.
8. MR. LALA MURLI MANOHAR LAL S/O SHRI LALA SHIV SHANKER LAL, NEW AREA BISAR PANIC, GAYA 823001.
9. MR. BINAY KUMAR SINGH, S/O LATE DEVENDRA SINGH, AYER NIWAS, SIDDHARTHURI COLONY, MANPUR, GAYA 823003.
10. MR. RAKESH KUMAR S/O SRI RAMA KANT KUMAR, C/O SRI RAJENDRA PRASAD, SEDAMA BHAWAN, MACHALIGALI, NEW JAKKANPUR, PATNA 800001.
11. MR. KAMLESH SINGH, S/O SRI DINESH SINGH C/O SHREE PRASAD HOUSE, NEAR CANTICA HOTEL, RAJAPUR, BODH GAYA
12. MR. RAMA NAND SINGH S/O LATE JAGDEO SINGH, QR. NO.158, ANUGRAPURI COLONY (A.P. COLONY), GAYA 823001.
13. MR. MADAN KUMAR SINGH S/O LATE SHIV NARAYAN SINGH, MAGADH COLOY, ROAD NO.6, CHAUDRUKI, GAYA 823001
14. MR. KAPILDEO PRAJAPATI, S/O LATE MANGRU PRAJAPATI, NEW AREA, NUTAN NAGAR, HOUSE OF BADRI BABU, GAYA 823001
15. MR. SANJAY KUMAR S/O LATE AMRENDRA KUMAR VERMA, NEAR DELHA MIDDLE SCHOOL, BARKI DELHA, DELHA-PARIYA ROAD, GAYA 823001.

Versus

1. THE UNION OF INDIA THROUGH THE SECRETARY, MINISTRY OF FINANCE, GOVERNMENT OF INDIA, NEW DELHI.
2. INSURANCE REGULATORY AND DEVELOPMENT AUTHORITY, THROUGH ITS CHAIRMAN, JEEVAN BHARATI BUILDING TOWER NO.1, GROUND FLOOR, 124, CONNAUGHT CIRCUS, NEW DELHI-110001, AT PRESENT AT PARISRAMA BHAVANAM, 3RD FLOOR, 5-9-58/B, FATEH MAIDAN ROAD, BASHEERBAGH, HYDERABAD 500004
3. OFFICER ON SPECIAL DUTY, INSURANCE REGULATORY AND DEVELOPMENT AUTHORITY, 3RD FLOOR, PARISRAMA BHAVANAM, 5-9-58/B, FATEH MAIDAN ROAD, BASHEERBAGH, HYDERABAD 500004

.....RESPONDENTS.

with

CWJC No.2448 of 2005

1. MR.ANAND KUMAR RUNGTA, S/O SHRI GOVIND RAM RUNGTA, B – 405 CAPITAL TOWERS FRASER ROAD, PATNA 800001.
2. MR.MUKESH KUMAR S/O SRI GHIRITNANDAN SINGH, SARMERA KOTHI, RAJENDRA NAGAR, PATNA 800016
3. MR. PRADEEP KUMAR SINHA, S/O LATE S.K. SINHA, G – 124 PC COLONY, PATNA 800020 AT PRESENT HOUSE OF SRI SHYAM SUNDER SINGH, OLD ARVIND MAHILA COLLEGE ROAD, KADAM KUA, PATNA 800003
4. MR. SNJEEV KUMAR SINGH, S/O SRI KRISHNA NANDAN SINGH, QR. NO.48/99 HBC TOWNSHIP, BEGUSARAI-851115 AT PRESENT B – 101 PUSHPANJALI HOPE APARTMENTS, P.O.- ASHIANA NAGAR, PATNA 800035.
5. MR. SUNIL KUMAR S/O SRI SHYAM NANDAN SINHA, HOUSE OF PROF. B. M. K. SINHA, SALIMPUR AHRA, LANE NO.1, KADAM KUA, PATNA 800003.
6. MR. HIRA LAL SAH, S/O SRI BAIJNATH SAH, GRAND CHANDI VYAPAR BHAWAN IST. FLOOR, EXHIBITION ROAD, PATNA 800001.
7. MR. MANI BHUSHAN SINGH, S/O SRI HARI NARAYAN SINGH, 69 ANANDPURI, WEST BORING CANAL ROAD, PATNA 800001.
8. MR. VIJAY KUMAR GUPTA, S/O MR. ANAND PRASAD GUPTA, HOUSE NO.54/20 WEST VIVEKAND PATH, NORTH SRI KRISHNA PURI, PATNA 800013
9. MR.SUBODH NAND LAL, S/O SRI VISHNU DEO NARAYAN, 404 SRI HARI APARTMENTS, ROAD NO.19, EAST PATELNAGAR, PATNA, 800023
10. MR. RAGHUNANDAN PRASAD SINGH, S/O SRI BINDESHWAR PRASAD, PHARAMCEUTICAL COLONY, BHAGWAT NAGAR, PATNA 800026
11. MR. SANTOSH KUMAR SHARMA, S/O LATE KAMLA PRASAD SHARMA, KUN-KUN SINGH LANE, P.O. MAHENDRU, PATNA 800006
12. MR. SHAKTI KUMAR PRABHAKAR, S/O SRI RAM BILAS SINGH, KHARSARIYA HOUSE, MAURYA BIHAR, KUMRAHAR, PATNA 800024
13. MR. BIRENDRA KUMAR OJHA, S/O SRI SITA RAM OJHA, B – 25 A. G. COLONY, ASHIANA NAGAR, PATNA 800025.
14. MR. MANOJ KUMAR S/O LATE SIDHESHWAR PRASAD, 402 OM VIHAR APARTMENTS KADAM KUA, PATNA 800003
15. MR. SOMESHWAR KUMAR S/O SRI PANCHANAN SHARMA,QTR. NO.306 ROAD NO.6, RAJBANSI NAGAR, PATNA 800023.....PETITIONERS.

Versus

1. THE UNION OF INDIA THROUGH THE SECRETARY, MINISTRY OF FINANCE, GOVERNMENT OF INDIA, NEW DELHI.

2. INSURANCE REGULATORY AND DEVELOPMENT AUTHORITY, THROUGH ITS CHAIRMAN, JEEVAN BHARATI BUILDING TOWER NO.1, GROUND FLOOR, 124, CONNAUGHT CIRCUS, NEW DELHI-110001, AT PRESENT AT PARISRAMA BHAVANAM, 3RD FLOOR, 5-9-58/B, FATEH MAIDAN ROAD, BASHEERBAGH, HYDERABAD 500004
3. OFFICER ON SPECIAL DUTY, INSURANCE REGULATORY AND DEVELOPMENT AUTHORITY, 3RD FLOOR, PARISRAMA BHAVANAM, 5-9-58/B, FATEH MAIDAN ROAD, BASHEERBAGH, HYDERABAD 500004

.....RESPONDENTS.

with

CWJC No.2478 of 2005

1. MR.PRAFULLA KRISHNA PEEYUSH S/O LATE D. K. DAS RESIDENT OF BINDHIYA KALA MANDIR, GATE NO.16, OLD BYPASS ROAD, KANKARBAGH, PATNA 800020
2. MR. ARBIND PRASAD CHOUDHARY, S/O MR. BISHESHWAR PRASAD CHOUDHARY RESIDENT OF HOUSE OF LATE BIGU SINGH, BAZAR SAMITI ROAD, PATNA 800016
3. MR. ARUN KUMAR S/O LATE BODHI PRASAD, RESIDENT OF B – 88 BISCOMAUN COLONY, GULZARBAGH, PATNA 800007
4. MR. MD. ASHARAF, S/O LATE MD. RAFIQUE, RESIDENT OF 625/2 HAROON NAGAR COLONY, PHULLWARISHARIF, PATNA 801505
5. MR.SUDHIR KUMAR S/O MR. RAJ KISHORE PRASAD, RESIDENT OF MUNDESHWARY'S SHIBU SHARAN APARTMENTS, FLAT NO.104, BUDHA COLONY PATNA 800001.
6. MR. NUTAN PRASAD, S/O LATE HARILAL, RESIDENT OF FLAT NO. B – 403 SWAROOP COMPLEX, BAZAR SAMITI ROAD, PATNA 800016.
7. MR. HANBANSH NARAYAN S/O MR. RAM ASHRAY PRASAD SINHA, 3 SFA 3/1C BAHADURPUR HOUSING COLONY, BHUTNATH ROAD, PATNA 800020
8. MR. SYED BADRE HASAN, S/O LATE SAYED NASIHUDDIN, RESIDENT OF MOHALLA DARGAH GHERA, P.O. MAHEDRU, PATNA 800006
9. MR. SATYA NARAYAN PRASAD S/O LATE MAHABIR PRASAD RESIDENT OF B – 308 HOPE MAHENDRA APARTMENTS, CHITRAGUPTA NAGAR, PATNA 800020
10. MR. UMA SHANKER SINGH, S/O DIP LAL SINGH RESIDENT OF HOUSE OF MR. MITHILESH PRASAD, NORTH MANDIRI PATNA 800001
11. MR. DHRUB DEO NARAYAN SINHA, S/O LATE KAPILDEO NARAYAN, C/38 HOUSING COLONY, KANKARBAGH, PATNA 800020
12. MR. ABHAY KUMAR DUTT VERMA S/O LATE ANIRUDH KUMAR DUTT VERMA, RESIDENT OF ASHOK NAGAR ROAD NO.1/D , KANKARBAGH, PATNA 800020

.....PETITIONERS.

Versus

1. THE UNION OF INDIA THROUGH THE SECRETARY, MINISTRY OF FINANCE, GOVERNMENT OF INDIA, NEW DELHI.
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3. OFFICER ON SPECIAL DUTY, INSURANCE REGULATORY AND DEVELOPMENT AUTHORITY, 3RD FLOOR, PARISRAMA BHAVANAM, 5-9-58/B, FATEH MAIDAN ROAD, BASHEERBAGH, HYDERABAD 500004

.....RESPONDENTS

For the petitioners : Mr. Rai Shivaji Nath, Sr. Advocate with
Mr. Rai Shourabh Nath, Advocate.
For respondent nos.2 & 3 : M/s Anjani Kr. Sharan and Lakmesh
Marvind, Advocates.

10/ 29.04.2011

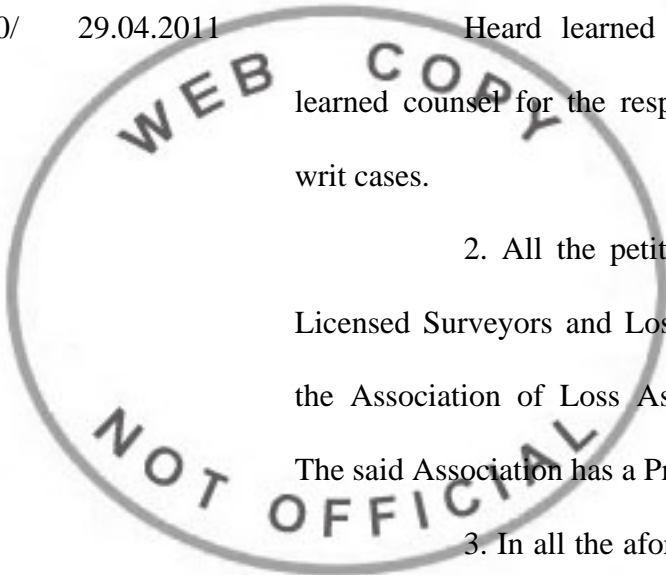
Heard learned counsel for the petitioners and

learned counsel for the respondents in all the aforesaid five writ cases.

2. All the petitioners of these writ petitions are Licensed Surveyors and Loss Assessors and are Members of the Association of Loss Assessors and Surveyors of Bihar.

The said Association has a President, namely Satish Sharan.

3. In all the aforesaid writ petitions the respective petitioners are challenging IRDA/Notice dated 19.09.2001 issued by the Insurance Regulatory and Development Authority, letter dated 11.09.2001 and IRDA Circular dated 04.12.2002 by which limitations and restrictions on the work of categorized Surveyors and Loss Assessors had been



imposed by the authority and also challenging order of IRDA for Surveyors and Loss Assessors dated 30.03.2002 by which the categorization of Surveyors and Loss Assessors had been implemented with effect from 01.04.2002 as well as the parameters for Categorization of Surveyors published by the Insurance Regulatory and Development Authority on 14.05.2002 and for other ancillary reliefs.

4. It is not in dispute that the Insurance Regulatory and Development Authority Act, 1999 (hereinafter referred to as 'the Act' for the sake of brevity) came into force on 19.04.2000 giving powers to the authorities to grant license. As per section 26 of the Act regulations were framed on 24.11.2000 (Annexure-2), clause 14 whereof is regarding categorization but no restriction is provided on the number of departments to be allotted nor there is any financial restrictions.

5. The claim of the petitioners is that on 20.08.2001 they were informed about the grades given to the petitioners in different departments and they were asked to choose three departments. Thereafter on 19.09.2001 notice was given by IRDA limiting option to three departments and imposing financial limits in each category as per its Annexure-1 dated 11.09.2001. The Association represented against the said act of the authorities on 29.10.2001, but no action was taken by the authorities concerned on the said objection.

6. It transpires that W.P. No.22725 of 2001 was filed by one P. Soundara Rajan in the Madras High Court

challenging the said notice etc. but the said writ petition was dismissed on 22.11.2001. Against the said order W.A. No.176 of 2002 was filed by the said person in which order dated 12.02.2002 was passed by a Division Bench of Madras High Court ordering status quo. However, subsequently the said W.A. No.176 of 2002 was disposed of on 14.07.2008 with certain directions.

7. It further transpires that another case bearing W.P. No.43369 of 2002 was filed by the same person challenging order of the authorities dated 30.03.2002 by which the authorities gave effect to categorization since 01.04.2002. In the said writ petition interim injunction was granted by learned Single Judge of Madras High Court vide order dated 04.12.2002 and since then the aforesaid writ petition is pending before the said court.

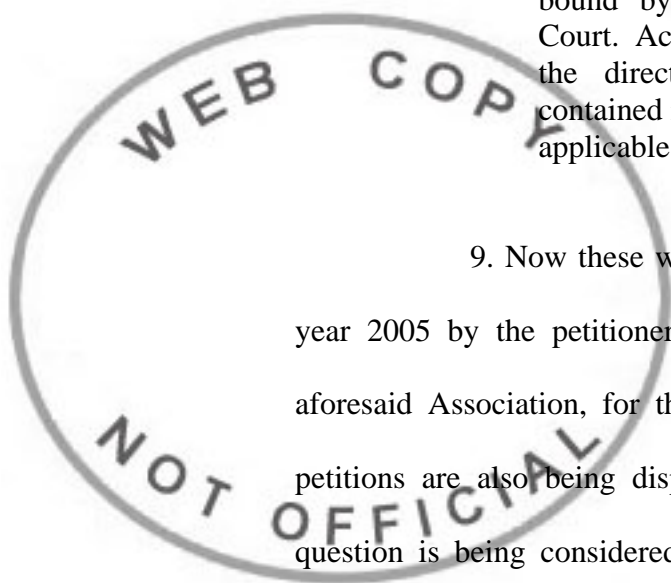
8. However, in Patna High Court C.W.J.C. No.13064 of 2002 was filed by the Association, whereas C.W.J.C. No.10731 of 2002 was filed by its President challenging the same acts of the authorities. Both the two cases were taken up together by a Bench of this court and they were disposed of vide order dated 19.03.2004 (Annexure-12), as follows:

“A counter affidavit has been filed on behalf of the Respondents and reply thereto has been filed on behalf of the petitioners. From the counter affidavit and reply it appears that on similar question the matter is pending in the writ petition bearing No. WP 43369 of 2002 in the High Court of Judicature at Madras and Madras High

Court has granted interim injunction vide Annexure-16 to the reply. In compliance of the order of interim injunction, Respondent-Authority vide Annexure-17 themselves have permitted the petitioner of the said case to work in all categories/departments of survey works and directed that the restricted working departments or allotted restricted categories of work shall not be applicable to him from the date of the order of Madras High Court, and, further, that the final decision in the matter shall depend upon the decision of the High Court, which shall have effect from the date of final judgment of the High court.

Having regard to the fact that similar question is being considered by Madras High Court, both these writ petitions are disposed of with a direction that the petitioners may intervene in the said matter, if so advised, and interim order/decision of Madras High Court shall also govern the case of the petitioners. The parties will be bound by the decision of Madras High Court. Accordingly, this court directs that the direction given by the authorities, contained in Annexure-16 & 17 shall also be applicable in the case of the petitioners.”

9. Now these writ petitions had been filed in the year 2005 by the petitioners, who are the members of the aforesaid Association, for the same relief. Hence these writ petitions are also being disposed accordingly. Since similar question is being considered by the Madras High Court, all these writ petitions are disposed of with liberty to the petitioners to intervene in W.P. No.43369 of 2002 in the Madras High Court, if so advised, and if such intervention applications are filed therein, the interim orders and final decision of the Madras High Court shall also govern the case of



these petitioners and the parties will be bound by the decision of the Madras High Court in the matter.

Harish

(S.N. Hussain, J.)

