



ROC.No.64168-A/ 2020/C1

CIRCULAR

Sub: Review of the cases of staff members of subordinate courts in the Tamil Nadu Judicial Ministerial Service and Tamil Nadu Basic Service for Compulsory Retirement under F.R.56 (2) - Instructions issued.

- Ref : 1. G.O. Ms. No. 623, P & A. R., (Per. R) Dept., dated 14.07.1983.
2. G.O. Ms. No. 245, P & A. R., (Per. R.)Dept., dated 06.07.1993.
3. G.O. Ms. No.130, P & A. R., (FR II) Dept., dated 22.09.2009.

The Appointing Authorities of the subordinate courts in the State of Tamil Nadu, at present, on reviewing the cases of staff members of subordinate courts in the Tamil Nadu Judicial Ministerial Service and Tamil Nadu Basic Service under F.R.56(2), are sending their recommendations to retire the staff members who are found unfit to continue in service compulsorily under F.R.56(2), for approval/ orders of the High Court .

F.R.56(2) clearly states that the appropriate authority i.e., the appointing authority shall have the absolute right in public interest to retire any

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Government Servant compulsorily by following the procedure mentioned therein. Considering the same, the High Court is of the view that there is no need for recommendation to be made for compulsory retirement under F.R.56(2) to the High Court by the concerned Principal District Judges/District Judges/Appointing Authorities.

Hence, as ordered, it is instructed that for exercising power under F.R.56(2), the Appointing Authorities of the subordinate courts in the State of Tamil Nadu are expected to take a decision (instead of recommending) and thereafter, seek the approval of the High Court.

The receipt of this circular is required to be acknowledged forthwith.

HIGH COURT, MADRAS.

DATED: 14.09.2021


14.9.2021
REGISTRAR GENERAL



To

1. All the Hon'ble Judges (For information).
2. All the Registrars, High Court, Madras and Madurai Bench of Madras High Court, Madurai (For information).
3. All the Principal District Judges / District Judges.
4. The Principal Judge, City Civil Court, Chennai.
5. The Chief Judge, Court of Small Causes, Chennai.
6. The Presiding Officer, Principal Labour Court, Chennai.

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7. The Presiding Officer, Special Court under EC & NDPS Act Cases, Chennai.
8. The Administrator General & Official Trustee of Tamil Nadu, High Court Campus, Chennai.
9. The Presiding Officer, Industrial Tribunal, Chennai.
10. The City Government Pleader, Chennai.
11. The Chief Metropolitan Magistrate, Egmore, Chennai.
12. All the Chief Judicial Magistrates.

Copy to:

1. The Section Officer , C Section, Madurai Bench of Madras High Court, Madurai.
2. The Record Keeper, A.D.Records, High Court, Madras.

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