



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Tuesday, the Eighteenth day of April Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice T.S.SIVAGNANAM
and
The Hon`ble Mr.Justice P.VELMURUGAN

CMP(MD) No.7792 of 2016
IN
WA(MD) No.SR26428 of 2016

- 1 THE COMMISSIOENR OF LAND
ADMINISTRATION, CHEPAUK, CHENNAI-05.
- 2 THE DISTRICT COLLECTOR,
MADURAI DISTRICT, MADURAI-20.
- 3 THE TAHSILDAR,
MADURAI SOUTH TK., MADURAI-20.
- 4 DISTRICT REVENUE OFFICER
MADURAI DIST. MADURAI-20.
- 5 THE ASSISTANT COMMISSIONER,
EXECUTIVE OFFICER, ARULMIGHU SUBRAMANIASAMY
THIRUKOVIL, MADURAI. ... PETITIONERS/APPELLANTS

Vs

- 1 P.KARMEGAM,
- 2 P.SENTHIL KUMAR,
- 3 N.G.NAVAKODI PON SEKAR ... RESPONDENTS/RESPONDENTS

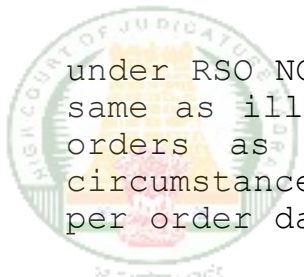
Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to Condone the delay of 572 days in filing the above Writ Appeal against the order dated 14.10.2014 made in WP(MD)No.4222 of 2012 and thus render justice.

PRAYER IN WA(MD) No.SR26428 of 2016:

Memorandum of grounds of writ appeal to this Hon'ble court against the order of Hon'ble High Court dated 14.10.2014 made in W.P (MD) NO:4222 of 2012 on the file of the Hon'ble Madurai bench of Madras High Court.

Prayer in WP(MD). 4222/ 2012 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of certiorari or any other appropriate writ, order or direction in the nature of writ calling for the records, pertaining to the impugned order in Ref.No.K4/7401/2012, dated 21.03.2012 and consequential order of stay passed on 21.03.2012 by the 1st respondent by way of suomoto review



under RSO NO.31-8(A) of the 4th Respondents proceedings and quash the same as illegal and unconstitutional and pass such further or other orders as this Hon ble court may deem fit and proper in the circumstances of the case and thus render justice. [prayer amended as per order dated 11.01.2013 in mp(md)1/2013].

ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of MR.B.PUGALENDHI, AAG assisted by MR.V.MURUGANANTHAM, Additional Government Pleader for the petitioner MR.R.RAJENDRAN for R1 and MR.R.PANDI MAHARAJA on behalf of the Respondents 2, 3 the court made the following order:-

Order of the Court was made by **T.S.SIVAGNANAM, J.**

Heard Mr.B.Pugalendhi, learned Additional Advocate General, assisted by Mr.V.Muruganantham, learned Additional Government Pleader for the petitioners and Mr.R.Pandi Maharaja, learned counsel appearing for the respondents 2 and 3. None appears on behalf of the first respondent.

2. On an earlier occasion, when the case came up for hearing, there was no representation for the first respondent. Therefore, the matter was adjourned so that the respondents 2 and 3 could file counter affidavit. However, no counter affidavit has been filed as-on-date. The petitioners questioned the impugned order on the ground of jurisdiction and that the patta has been granted in respect of the Government Poramboke Land. Though the delay is 572 days, considering the issue involved in the matter, we are inclined to condone the same, subject to the condition that petitioners shall pay a sum of Rs.1,500/-, within a period of two weeks from today, to the credit of Indian Bank Savings Account No.6514082295, operated by the Registrar [Administration], for the purpose of removal of Seemai Karuvelam Trees. It is made clear that if the cost is not paid by the petitioners within the time stipulated in this order, the present Miscellaneous Petition shall stand dismissed automatically without any further reference to this Court.

sd/-
18/04/2017

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

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ADMINISTRATION, CHEPAUK, CHENNAI-05.

2 THE DISTRICT COLLECTOR,
MADURAI DISTRICT, MADURAI-20.



3 THE TAHSILDAR,
MADURAI SOUTH TK., MADURAI-20.

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MADURAI DIST. MADURAI-20.

5 THE ASSISTANT COMMISSIONER,
EXECUTIVE OFFICER, ARULMIGHU SUBRAMANIASAMY
THIRUKOVIL, MADURAI.

6 THE REGISTRAR[ADMIN]
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

7 THE MANAGER,
INDIAN BANK,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. C.C. to GOVT PLEADER Advocate SR.No.20654

SVA/CM/MSA/24.04.2017/SAR3/3P/9C

ORDER
IN
CMP(MD) No.7792 of 2016
IN
WA(MD) No.SR26428 of 2016
Date :18/04/2017