

W.P.No.27499 of 2018

S.VAIDYANATHAN, J.
AND
KRISHNAN RAMASAMY, J.

(By S.Vaidyanathan,J.)

It is represented by Mr.A.Selvendran, learned Special Government Pleader, that an application has been filed to recall Paragraph 3 of the order, dated 22.12.2023, and that an undertaking has been given by the Secretary to Government that all the pending cases will be given preference and decided on day-do-day basis. He would further submit that the cases, wherein no stay is granted by any Court or where there is no pendency of proceedings before any Court, will be taken note of and the authority will proceed with all the cases filed under the 1971 Act, if they are not prohibited by the interim orders of this Court. He would also state that the Authority will record the submissions of the persons who have presented any petition under the 1971 Act as to whether there is any complainant, so that the complainant is also heard, as the complainant will be the correct person to bring about the violation before the Authority. Further, he submits that only one person by name Murugan is having the matters with the 1971 Act and would report as to



whether six more persons could be allotted to decide 2000 and odd Appeals pending before the Authority.

2. Para 3 of the order, dated 22.12.2023, was for compliance, pursuant to the order, dated 16.10.2018, more-so, paragraphs 12 and 13 thereof. Even if paragraph 3 of the order, dated 22.12.2023, is recalled, nothing prevents the parties concerned to file contempt proceedings for non-compliance of the order, dated 16.10.2018, as the parties' rights are protected in view the decision of the Apex Court in *Suraz India Trust v. Union of India*, AIR 2021 SC 4706.

3. Mr.Selvendran submitted that all the appeals of the year 2015, if any pending, would be heard and decided by Mr.Murugan, as almost a decade has gone by now.

4. Post this matter on 24.01.2024.

(S.V.N.,J.) (K.R.,J.)
12.01.2024

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Note to Office :

Issue Order Copy on 22.01.2024



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