



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

Thursday, the Twenty Second day of November Two Thousand Eighteen

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PRESENT

The Hon`ble Mr.Justice S.S.SUNDAR
and
The Hon`ble Mr.Justice C.SARAVANAN

C.M.P (MD) No.5927 of 2018
in
W.A (MD) No.SR.10670 of 2018

C.PANJAVARNAM

... PETITIONER/APELLANT

Vs

1 S.DEVADASS

2 THE DISTRICT COLLECTOR,
MADURAI DISTRICT, MADURAI.

3 THE SPECIAL TAHSILDAR,
(LAND ACQUISITION) (ADW), UNIT NO.2,
COLLECTORATE, MADURAI.

4 THE TAHSILDAR,
MELUR TALUK, MADURAI DISTRICT.

5 C.NALLAMMAL

... RESPONDENTS/RESPONDENTS

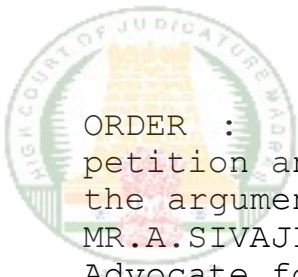
Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to condone the delay of 404 days in filing the above writ appeal challenging the order passed by this Hon'ble Court in W.P.(MD). No.3445 of 2016 dated 03.11.2016 and thus render justice.

PRAYER IN WA(MD) No.SR10670 of 2018:

To prefer this Memorandum of Grounds of Writ Appeal before this Hon'ble Court against the order dated 03.11.2016 made in WP(MD) No.3445 of 2016.

Prayer in WP(MD). 3445/ 2016 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus directing the 3rd respondent to enter the petitioners name in the patta for land in Survey No.238/2 measuring 90 cents in Kottampatti, Melur Taluk, Madurai District by considering the petitioners representation dated 22.09.2014 more particularly within a time frame as may be stipulated by this Hon'ble Court.



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.R.V.RAJKUMAR, Advocate for the petitioner and of MR.A.SIVAJI, Advocate for R1 and MR.A.THIYAGARAJAN, Government Advocate for R2 to R4, the court made the following order:-

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[Order of the Court made by **S.S.SUNDAR, J.**]

This petition is filed to condone the delay of 404 days in filing the above writ appeal challenging the order passed by this Court in W.P.(MD)No.3445 of 2016, dated 03.11.2016.

2.This appeal has been presented on 12.03.2018, even though the order was passed in the writ petition on 03.11.2016. Though the petitioner has given some reasons for the delay, the delay could have been avoided.

3.Though the learned Counsel for the respondents has serious objection to this petition, he did not file any counter, but sought adjournment, even at the stage of granting leave.

4.Even though the learned Counsel for the respondents has serious objection to allow this petition, this Court is inclined to allow this petition on terms. Accordingly, this petition is allowed and the delay is condoned on condition that the petitioner pays a sum of Rs.2,000/- (Rupees Two Thousand) to the District Collector, Nagapattinam, towards the Cyclone Relief Fund on or before 28.11.2018.

5.On filing proof of compliance, Registry is directed to number the appeal, if the papers are otherwise in order and post the main appeal on 29.11.2018.

sd/-
22/11/2018

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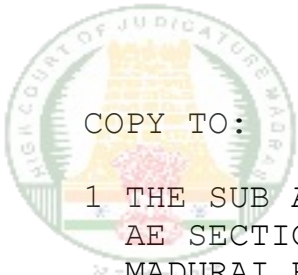
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE DISTRICT COLLECTOR,
MADURAI DISTRICT, MADURAI.

2 THE SPECIAL TAHSILDAR,
(LAND ACQUISITION) (ADW), UNIT NO.2,
COLLECTORATE, MADURAI.

3 THE TAHSILDAR,
MELUR TALUK, MADURAI DISTRICT.



COPY TO:

- 1 THE SUB ASSISTANT REGISTRAR,
AE SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 2 THE DISTRICT COLLECTOR, NAGAPATTINAM.

ORDER
IN
CMP (MD) No.5927 of 2018
IN
WA (MD) No.SR10670 of 2018
Date :22/11/2018

JM/VR MMS/SAR 2/28.11.2018/3P/6C