

C.R.P.(NPD) Nos. 4894, 4896, 4897, 4898, 4899,
4902, 4903, 4904, 4905 and 4907 of 2011

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :27.11.2019

CORAM :

THE HON'BLE MR. JUSTICE M.DURAI SWAMY

C.R.P.(NPD) Nos. 4894, 4896, 4897, 4898, 4899,
4902, 4903, 4904, 4905 and 4907 of 2011

1. District Forest Officer,
Salem and Namakkal.

2. State of Tamil Nadu,
Rep. By District Collector,
Namakkal.

... Petitioners in both C.R.Ps

V.

Mr.Periyasamy

... Respondent in C.R.P.No.4894/2011

Mr. Kuppusamy

... Respondent in C.R.P.No.4896/2011

Mr.Shanmugam

... Respondent in C.R.P.No.4897/2011

Mr.Subramani

... Respondent in C.R.P.No.4898/2011

Mrs.Rani

... Respondent in C.R.P.No.4899/2011

Mr.Subramani

... Respondent in C.R.P.No.4902/2011

Mr.Thangaraju

... Respondent in C.R.P.No.4903/2011

Mr.Palani

... Respondent in C.R.P.No.4904/2011

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Mrs. Marayee ... Respondent in C.R.P.No.4905/2011
Mr.Velusamy ... Respondent in C.R.P.No.4907/2011

C.R.P.No.4894/2013 : Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the order passed by the Additional District Judge, Fast Track Court, Namakkal in I.A.No.1 of 2006 in Unnumbered C.M.A. of 2006, dated 23.06.2011.

C.R.P.No.4896/2013 : Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the order passed by the Additional District Judge, Fast Track Court, Namakkal in I.A.No.22 of 2006 in Unnumbered C.M.A. of 2006, dated 23.06.2011.

C.R.P.No.4897/2013 : Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the order passed by the Additional District Judge, Fast Track Court, Namakkal in I.A.No.24 of 2006 in Unnumbered C.M.A. of 2006, dated 23.06.2011.

C.R.P.No.4898/2013 : Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the order passed by the Additional District Judge, Fast Track Court, Namakkal in I.A.No.25 of 2006 in Unnumbered C.M.A. of 2006, dated 23.06.2011.

C.R.P.No.4899/2013 : Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the order passed by the Additional District Judge, Fast Track Court, Namakkal in I.A.No.26 of 2006 in Unnumbered C.M.A. of 2006, dated 23.06.2011.

C.R.P.No.4902/2013 : Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the order passed by the Additional District Judge, Fast Track Court, Namakkal in I.A.No.33 of 2006 in Unnumbered C.M.A. of 2006, dated 23.06.2011.

C.R.P.No.4903/2013 : Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the order passed by the Additional District Judge, Fast Track Court, Namakkal in I.A.No.35 of 2006 in Unnumbered C.M.A. of 2006, dated 23.06.2011.

C.R.P.No.4904/2013 : Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the order passed by the Additional District Judge, Fast Track Court, Namakkal in I.A.No.36 of 2006 in Unnumbered C.M.A. of 2006, dated 23.06.2011.

C.R.P.No.4905/2013 : Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the order passed by the Additional District Judge, Fast Track Court, Namakkal in I.A.No.39 of 2006 in Unnumbered C.M.A. of 2006, dated 23.06.2011.

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C.R.P.No.4907/2013 : Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the order passed by the Additional District Judge, Fast Track Court, Namakkal in I.A.No.481 of 2006 in Unnumbered C.M.A. of 2006, dated 27.06.2011.

For Petitioners : Ms.Thangavadhana Balakrishnan
Additional Government Pleader(F)

For Respondents : No Appearance in all CRPs

COMMON ORDER

Challenging the fair and final orders dated 23.06.2011 passed in Interlocutory Applications in I.A. Nos. 1, 22, 24, 25, 26, 33, 35, 36, 39 and 481 of 2006 in Unnumbered C.M.A. Of 2006, on the file of the Additional District Judge, Fast Track Court, Namakkal, the petitioners have filed the above Civil Revision Petitions.

2. There was a delay of more than 1000 days in filing the appeals before the Additional District Court, Fast Track Court, Namakkal,

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challenging the orders passed by the Forest Settlement Officer, Attur.
The relevant F.S.C. Numbers and the date of the orders passed by the
Forest Settlement Officer are tabulated as follows:-

C.R.P.Nos.	I.A.Nos.	F.S.C.Nos.	Date of the F.S.C. Order
4894/2011	1/2006	2/2002	26.03.2002
4896/2011	22/2006	23/2002	26.03.2002
4897/2011	24/2006	25/2002	26.03.2002
4898/2011	25/2006	26/2002	26.03.2002
4898/2011	26/2006	27/2002	26.03.2002
4902/2011	33/2006	34/2002	26.03.2002
4903/2011	35/2006	36/2002	26.03.2002
4904/2011	36/2006	37/2002	26.03.2002
4905/2011	39/2006	40/2002	26.03.2002
4907/2011	481/2006	499/2002	27.03.2002

3. In the affidavit filed in support of the applications, the
petitioners have stated that they found it very difficult to trace and go
through the fifty years case records and hence, there is a delay of more
than 1000 days in filing the appeals.

4. Though notices sent to the respondents were duly served and their names have been printed in the cause list, none appeared on their behalf.

5. The learned Additional Government Pleader (F) appearing for the petitioners submitted that in identical state of facts, this Court in a batch of Civil Revision Petitions in C.R.P.Nos.4150 of 2011 etc. batch, by order dated 21.11.2013, allowed the Civil Revision Petitions and condoned the delay in filing the appeals. The Additional Government Pleader (F) produced a copy of the order passed by this Court in the batch of Civil Revision Petitions.

6. Since the facts leading to the filing of these Civil Revision Petitions are identical to the batch of Civil Revision Petitions, which were already allowed, following the order passed by this Court in the batch of Civil Revision Petitions dated 21.11.2013, the fair and final orders passed by the Additional District Court, Fast Track Court, Namakkal, are set aside

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and the applications in I.A. Nos 1, 22, 24, 25, 26, 33, 35, 36, 39 and 481
of 2006 are allowed. The Civil Revision Petitions are allowed. No costs.

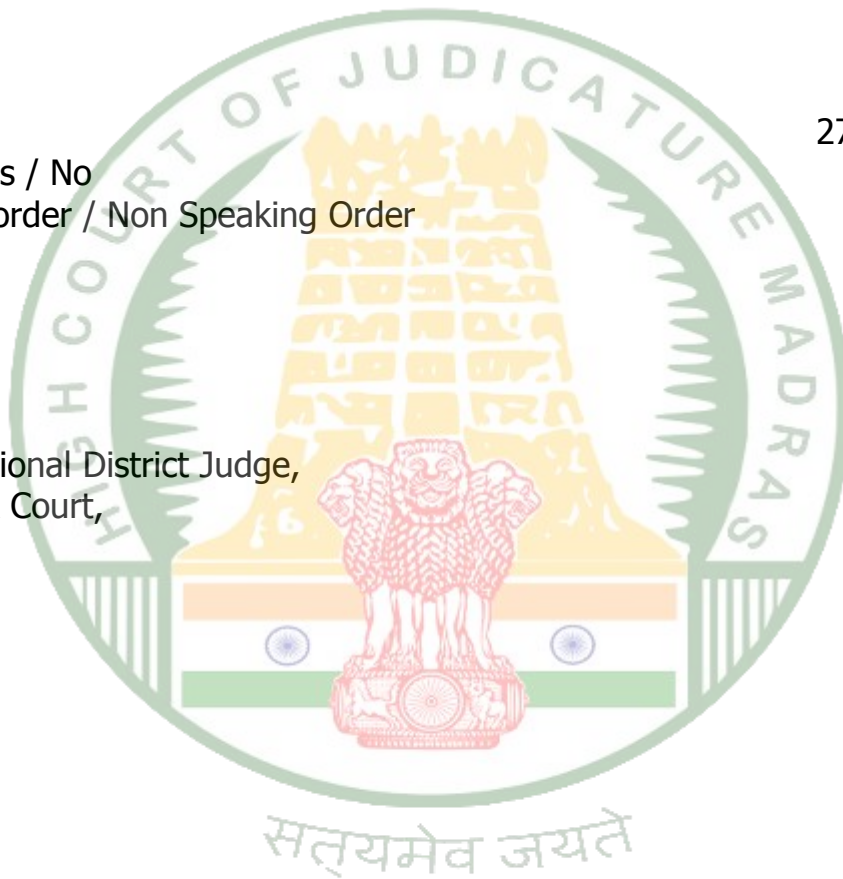
27.11.2019

Index : Yes / No
Speaking order / Non Speaking Order

Rj

To

The Additional District Judge,
Fast Track Court,
Namakkal.

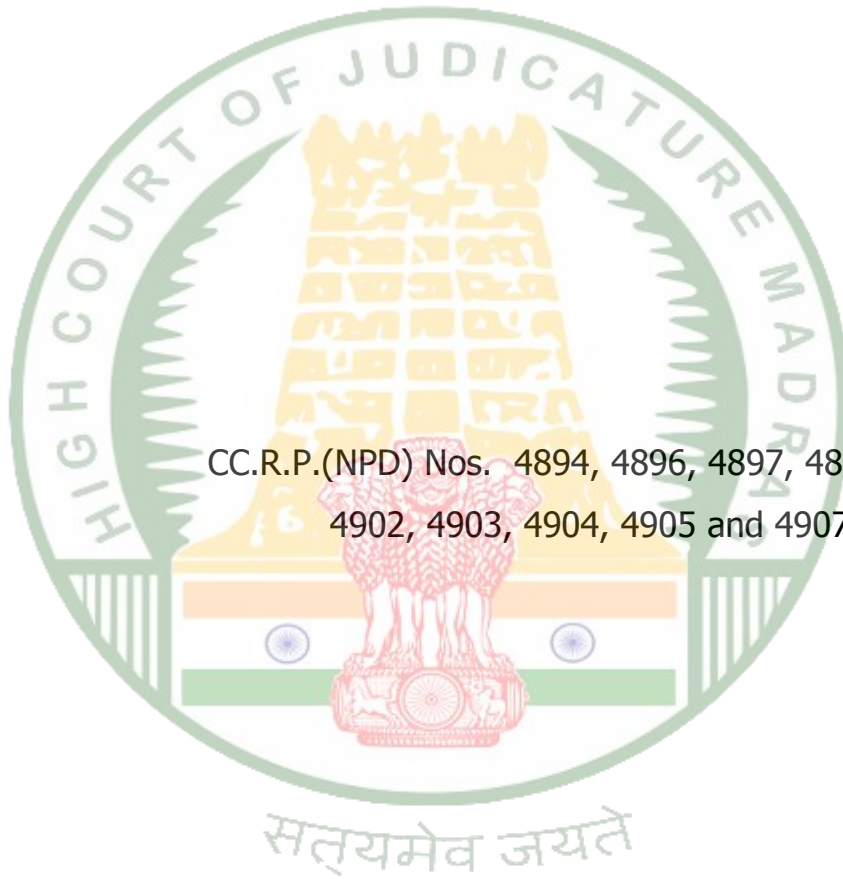


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M.DURAISWAMY, J.

Rj



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