

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.11.2019

CORAM :

THE HON'BLE MR. JUSTICE M.DURAI SWAMY

C.R.P.(NPD) Nos. 4895, 4900, 4901 and 4906 of 2011

1. District Forest Officer,
Salem and Namakkal.

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

... Petitioners in all C.R.Ps

v.

Vaiyapuri

... Respondent in C.R.P.Nos.4895 &
4900/2011

Kaliyan

... Respondent in C.R.P.No.4901/2011

Varadaraju

... Respondent in C.R.P.No.4906/2011

C.R.P.No.4895/2011 : 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.21 of 2006 in Unnumbered C.M.A. of 2006, dated 23.06.2011.

C.R.P.No.4900/2011 : 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.27 of 2006 in Unnumbered C.M.A. of 2006, dated 23.06.2011.

C.R.P.No.4901/2011 : 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.32 of 2006 in Unnumbered C.M.A. of 2006, dated 23.06.2011.

C.R.P.No.4906/2011 : 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.40 of 2006 in Unnumbered C.M.A. of 2006, dated 23.06.2011.

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. 21/2006 27/2006, 32/2006 and 40/2006 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, 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
4895/2011	22/2006	22/2002	26.03.2002
4900/2011	27/2006	28/2002	26.03.2002
4901/2011	32/2006	33/2002	26.03.2002
4906/2011	40/2006	41/2002	26.03.2002

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 and the applications in I.A. Nos. 21/2006 27/2006, 32/2006 and 40/2006 are allowed. The Civil Revision Petitions are allowed. No costs.

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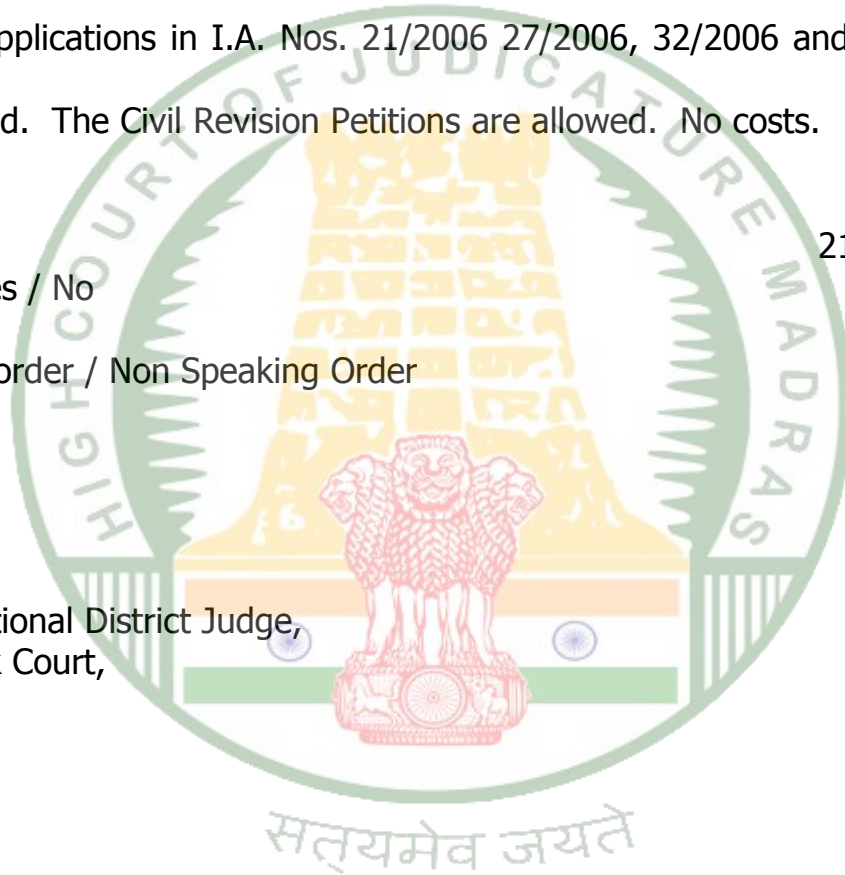
Index : Yes / No

Speaking order / Non Speaking Order

Rj

To

The Additional District Judge,
Fast Track Court,
Namakkal.

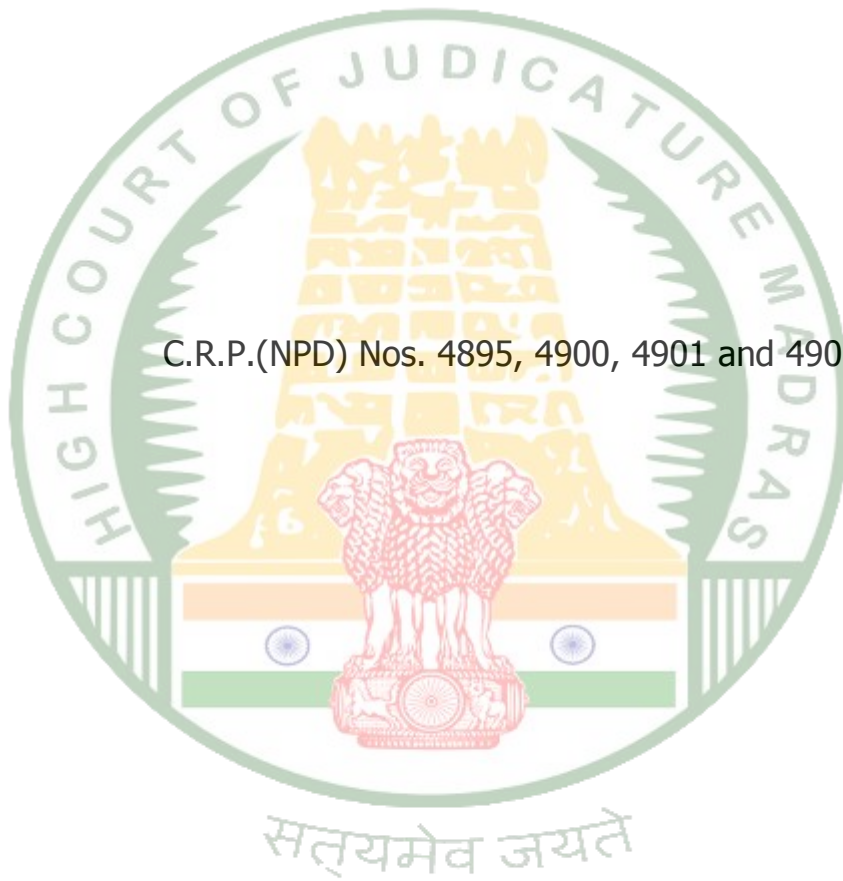


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M.DURAI SWAMY, J.

Rj



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