

C.R.P.(NPD) Nos. 1887 to 1892, 1897 to 1899,
1901 to 1907 and 1909 to 1911 of 2013

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.09.2019

CORAM :

THE HON'BLE MR. JUSTICE M.DURAI SWAMY

C.R.P.(NPD) Nos. 1887 to 1892, 1897 to 1899,
1901 to 1907 and 1909 to 1911 of 2013

1. District Forest Officer,
Salem and Namakkal.

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

... Petitioners in all C.R.Ps

V.

A.Marumuthu

... Respondent in C.R.P.No.1887/2013

P.Nallammal

... Respondent in C.R.P.No.1888/2013

V.Venkatachalam

... Respondent in C.R.P.No.1889/2013

V.Karuppannan

... Respondent in C.R.P.No.1890/2013

S.Kannaiyan

... Respondent in C.R.P.No.1891/2013

A.Gurunathan

... Respondent in C.R.P.No.1892/2013

A.Rajendran

... Respondent in C.R.P.No.1897/2013

T.Vellaiyan

... Respondent in C.R.P.No.1898/2013

L.Chinnapaiyan

... Respondent in C.R.P.No.1899/2013

M.Sadaiyappan

... Respondent in C.R.P.No.1901/2013

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T.Annamalai	... Respondent in C.R.P.No.1902/2013
M.Sumathi	... Respondent in C.R.P.No.1903/2013
M.Ganesan	... Respondent in C.R.P.No.1904/2013
K. Kumar	... Respondent in C.R.P.No.1905/2013
S.Asaliyammal	... Respondent in C.R.P.No.1906/2013
S.Anchalam	... Respondent in C.R.P.No.1907/2013
G.Chinnusamy	... Respondent in C.R.P.No.1909/2013
V.Kanthayee	... Respondent in C.R.P.No.1910/2013
R.Palanisamy	... Respondent in C.R.P.No.1911/2013

C.R.P.No.1887/2013 : 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.402 of 2006 in Unnumbered C.M.A. of 2006, dated 23.06.2011.

C.R.P.No.1888/2013 : 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. 513 of 2006 in Unnumbered C.M.A. of 2006, dated 23.06.2011.

C.R.P.No.1889/2013 : 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. 521 of 2006 in Unnumbered C.M.A. of 2006, dated 23.06.2011.

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C.R.P.No.1890/2013 : 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. 522 of 2006 in Unnumbered C.M.A. of 2006, dated 23.06.2011.

C.R.P.No.1891/2013 : 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. 523 of 2006 in Unnumbered C.M.A. of 2006, dated 23.06.2011.

C.R.P.No.1892/2013 : 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. 524 of 2006 in Unnumbered C.M.A. of 2006, dated 23.06.2011.

C.R.P.No.1897/2013 : 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. 545 of 2006 in Unnumbered C.M.A. of 2006, dated 23.06.2011.

C.R.P.No.1898/2013 : 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. 643 of 2006 in Unnumbered C.M.A. of 2006, dated 23.06.2011.

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C.R.P.No.1899/2013 : 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. 647 of 2006 in Unnumbered C.M.A. of 2006, dated 23.06.2011.

C.R.P.No.1901/2013 : 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. 686 of 2006 in Unnumbered C.M.A. of 2006, dated 23.06.2011.

C.R.P.No.1902/2013 : 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. 700 of 2006 in Unnumbered C.M.A. of 2006, dated 23.06.2011.

C.R.P.No.1903/2013 : 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. 788 of 2006 in Unnumbered C.M.A. of 2006, dated 23.06.2011.

C.R.P.No.1904/2013 : 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. 801 of 2006 in Unnumbered C.M.A. of 2006, dated 23.06.2011.

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C.R.P.No.1905/2013 : 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. 806 of 2006 in Unnumbered C.M.A. of 2006, dated 23.06.2011.

C.R.P.No.1906/2013 : 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. 809 of 2006 in Unnumbered C.M.A. of 2006, dated 23.06.2011.

C.R.P.No.1907/2013 : 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. 813 of 2006 in Unnumbered C.M.A. of 2006, dated 23.06.2011.

C.R.P.No.1909/2013 : 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. 822 of 2006 in Unnumbered C.M.A. of 2006, dated 23.06.2011.

C.R.P.No.1910/2013 : 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. 1032 of 2006 in Unnumbered C.M.A. of 2006, dated 23.06.2011.

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C.R.P.No.1911/2013 : 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. 1088 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
Except in CRP Nos.1902,
1905 & 1906/2013 – Mr.V.Thirupathi

COMMON ORDER

Challenging the fair and final orders dated 23.06.2011 passed in Interlocutory Applications in I.A. Nos.402/2006, 513/2006, 521/2006, 522/2006, 523/2006, 524/2006, 545/2006, 643/2006, 647/2006, 686/2006, 700/2006, 788/2006, 801/2006, 806/2006, 809/2006, 813/2006, 822/2006, 1032/2006 and 1088/2006 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.

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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
1887/2013	402/2006	402/2002	27.03.2002
1888/2013	513/2006	532/2002	27.03.2002
1889/2013	521/2006	540/2002	27.03.2002
1890/2013	522/2006	541/2002	27.03.2002
1891/2013	523/2006	542/2002	27.03.2002
1892/2013	524/2006	543/2002	27.03.2002
1897/2013	545/2006	565/2002	27.03.2002
1898/2013	643/2006	752/2002	20.05.2002
1899/2013	647/2006	756/2002	20.05.2002
1901/2013	686/2006	793/2002	27.05.2002
1902/2013	700/2006	807/2002	27.05.2002
1903/2013	788/2006	904/2002	03.06.2002
1904/2013	801/2006	917/2002	03.06.2002
1905/2013	806/2006	922/2002	03.06.2002
1906/2013	809/2006	925/2002	03.06.2002
1907/2013	813/2006	929/2002	03.06.2002

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C.R.P.Nos.	I.A.Nos.	F.S.C.Nos.	Date of the F.S.C. Order
1909/2013	822/2006	938/2002	03.06.2002
1910/2013	1032/2006	1129/2002	15.07.2002
1911/2013	1088/2006	1206/2002	30.07.2002

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. Except in C.R.P.(NPD) Nos. 1902, 1905 and 1906 of 2013, in the other Civil Revision Petitions though notices sent to the respondents were duly served and their names have been printed in the cause list, none appeared on his 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.. 402/2006, 513/2006, 521/2006, 522/2006, 523/2006, 524/2006, 545/2006, 643/2006, 647/2006, 686/2006, 700/2006, 788/2006, 801/2006, 806/2006, 809/2006, 813/2006, 822/2006, 1032/2006 and 1088/2006 are allowed. The Civil Revision Petitions are allowed. No costs.

20.09.2019

Index : Yes / No
Speaking order / Non Speaking Order
Rj

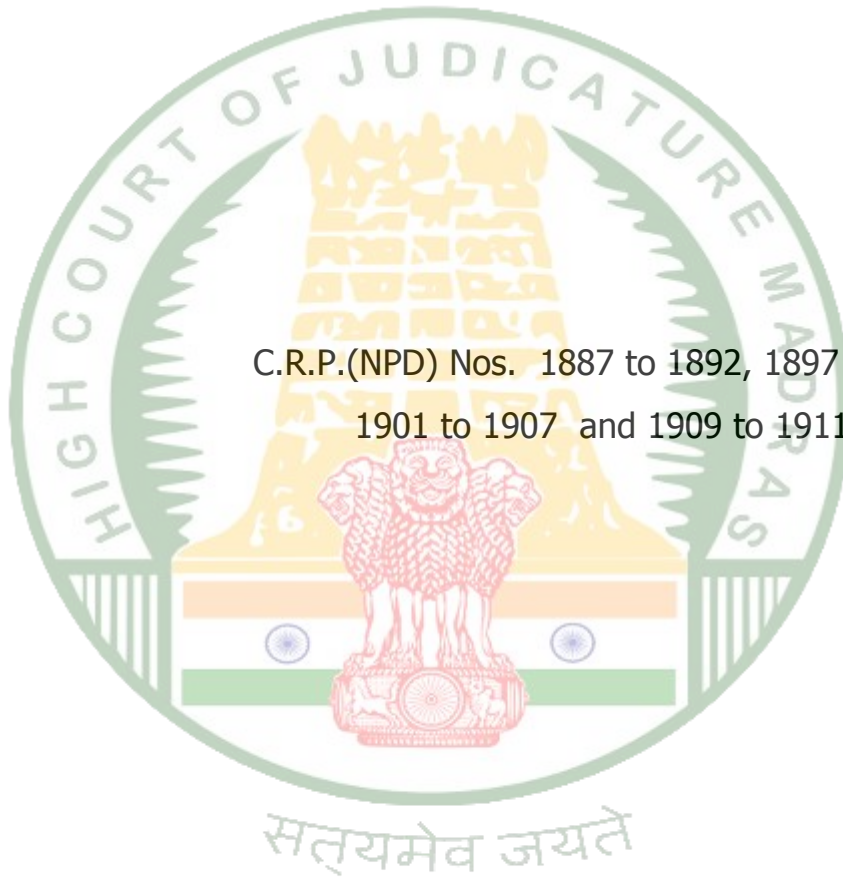
To

The Additional District Judge,
Fast Track Court,
Namakkal.

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M.DURAI SWAMY, J.

Rj



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