

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.11.2019

CORAM:

THE HON'BLE Mr. JUSTICE R.PONGIAPPAN

Civil Revision Petition (NPD) Nos.2076 & 2078 of 2014

1. District Forest Officer,
Salem and Namakkal.

2. State of Tamilnadu rep. By
District Collector,
Namakkal.

.. Petitioners in both CRPs

Vs

1. Raju

.. Respondent in CRP NPD No.2076/14

2. Saroja

.. Respondent in CRP NPD No.2078/14

COMMON PRAYER: Civil Revision Petitions filed under Article 227 of the Constitution of India to set aside the Fair and Decreetal orders dated 23.06.2011 made in I.A.Nos.661 of 2006 and 696 of 2006 in unnumbered CMA, on the file of Additional District Judge, Fast Track Court, Namakkal.

For Petitioners : Mrs.Thanga Vadhana Balakrishnan
in both CRPs AGP (Forests)

For Respondent : No appearance
in both CRPs

COMMON ORDER

The petitioners have filed these Civil Revision Petitions, aggrieved by the orders of the learned Additional District Judge, Fast Tract Court, Namakkal, dismissing the applications filed by them, to condone the delay in filing appeals, as against the orders passed by the Forest Settlement Officer, Athur, Namakkal District. The delay in these applications are 1044 and 1037 days, respectively.

2. As pleadings and submissions made in both the Civil Revision Petitions, are one and the same, they are taken up together and disposed of by this common order.

3. Today, when the Civil Revision Petitions came up for hearing, Mrs.Thanga Vadhana, learned Additional Government Pleader (Forest), appearing for the revision petitioners, produced a copy of the common order passed by this Court and submitted that this Court, on an earlier occasion, has heard a batch of Civil Revision Petitions viz., CRP (NPD) Nos.312 of 2014 etc., batch, involving the very same issue and being satisfied with the reasons for not filing the appeals, within the prescribed

period under the Tamil Nadu Forest Act, by common order dated 13.06.2019 had condoned the delay and allowed the Civil Revision Petitions.

4. Learned Additional Government Pleader further submitted that the above common order has been passed after considering and extracting the earlier order of this Court in a batch of Civil Revision Petitions in CRP No.4153 of 2011 dated 29.11.2013.

5. Learned Additional Government Pleader also submitted that the delay in the present case, is due to the very same reason, narrated in the above batch of cases and prayed that similar orders may be passed in the present Civil Revision Petitions also.

6. There is no representation for the sole respondent in both the Civil Revision Petitions. However, on going through the materials placed on record and also the common order of this Court dated 13.06.2019 in CRP (NPD) Nos.312 of 2014 etc. batch, this Court is convinced that the order relied on by the learned Additional Government Pleader, is squarely applicable to the present Civil Revision Petitions.

7. Therefore, following the common order of this Court dated 13.06.2019 passed in CRP (NPD) Nos.312 of 2014 etc. batch, the orders impugned in the present Civil Revision Petitions are hereby set aside and both the Civil Revision Petitions are allowed, as prayed for. No Costs.

12.11.2019

Speaking/Non-speaking order
Index: Yes/No
Internet: Yes
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To

The Additional District Court [Fast Track Court], Namakkal.



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R.PONGIAPPAN, J.,

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