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C.R.P(PD).Nos.2705 & 2706 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.12.2021

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

C.R.P(PD).Nos.2705 & 2706 of 2021

P.Nagaraj

..Petitioner in CRP.No.2705 of 2021

N.Selvi

..Petitioner in CRP.No.2706 of 2021

Vs.

The Managing Director,
TNSTC, No.12, Ramakrishna Road,
Salem -7.

..Respondent in both petitions

Common Prayer: Civil Revision Petitions filed under Article 227 of the Constitution of India, against the order dated 16.09.2021 in un-numbered IA.. of 2021 in MCOP.No.1536 of 2004 on the file of the III-Additional District Judge, Salem.

For Petitioner in both petition : Mr.M.Mohamed Riyaz

COMMON ORDER

This is an unfortunate case where, the claimants, who were favoured with an award have been made to run from pillar to post to get the payment out.

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2.The learned District Judge has also adopted a wooden approach in insisting that it is only the counsel, who appeared for the Corporation in the original petition, should express his no objection for payment out being ordered.

3.Heard Mr.M.Mohamed Riyaz, learned counsel appearing for the petitioners. Considering the limited prayer sought for in this revision, notice to the respondents is deemed unnecessary.

4.Mr.M.Mohamed Riyaz, learned counsel appearing for the petitioners would submit that the counsel who appeared for the Corporation in the original petition has now become an Assistant Public Prosecutor and therefore, he cannot endorse no objection. Therefore, the learned District Judge is required to act upon the no objection endorsement made by the present counsel. If the learned District Judge has got any doubt, he can insist upon the counsel for the Corporation to file Vakalat in this application and proceed in accordance with law.



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5.In view of the above, the order dated 16.09.2021 is set aside, the learned III-Additional District Judge, Salem is required to act upon the no objection endorsement made by the present counsel for the Corporation on 21.04.2021 and pass orders. The application shall be disposed of within a period of six weeks from the date of receipt of either web copy or certified copy of this order. The learned Additional District Judge shall report such disposal to this Court.

4.These civil revision petitions are disposed of with the above direction. No costs.

02.12.2021

kkn

Index:Yes/No

Internet:Yes/No

Speaking/ Non-speaking

To:-

The III-additional District Judge,
Salem.

Note:Upload order copy on 16.12.2021.

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R.SUBRAMANIAN, J.

KKN

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