



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.05.2022

CORAM :

THE HON'BLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

O.S.A.No.143 of 2022
and
C.M.P.Nos.8765, 8767 & 8768 of 2022

M.Swaminathan
S/o.Mr.Murugaiyan

... Appellant

Vs.

The Administrative General and
Official Trustee of Tamil Nadu
High Court Campus
Chennai-600 104.

... Respondent

Prayer:

Original Side Appeal filed under Order XXXVI of Original Side Rules r/w Clause 15 of the Letters Patent against the order dated 18.02.2022 in Application No.179 of 2022 in Application No.9620 of 2019 in O.P.No.109 of 1942.

Prayer in Application No.179 of 2022: Application praying to direct the Respondent, its officials, or his Subordinates or any one acting under them to forthwith redeliver the property to me which has been morefully described in the application filed along herewith.

Prayer in Application No.9620 of 2019: Application praying to direct the Respondent, if the respondent fails to handover vacant possession within a time frame to be fixed by this Court, the Applicant should not be permitted to take over the vacant possession through Police Force.

For Appellant : Mr.T.T.Ravichandran

For Respondent : Mr.D.Ravichander
Special Government Pleader



J U D G M E N T

(Judgment of the Court was delivered by G.R.SWAMINATHAN ,J.)

WEB COPY

Heard the learned counsel appearing for the appellant and the learned Special Government Pleader appearing for the respondent.

2. The appellant herein questions the order dated 18.02.2022 dismissing Application Nos.176 to 179 of 2022. The learned single Judge had held that the applications seeking extension of time to comply with the terms of the Lok Adalat award cannot be entertained by the Court. In our respectful view, this may not be correct.

3. The learned counsel appearing for the appellant has drawn our attention to a decision of the Hon'ble Supreme Court in P.T.Thomas Vs. Thomas Job reported in (2005) 6 SCC 478. The Hon'ble Supreme Court in the said decision had held that the High Court was not correct in holding the Court has no jurisdiction to extend the time. It is seen that the Hon'ble First Bench of this Court to which the learned single Judge was a party, vide order dated 05.10.2018 in W.P.No.10651 of 2014 and M.P.No.1 of 2014, had also held that the time stipulated for the Lok Adalat award can be extended.

4. In this view of the matter, the order impugned in this OSA is set aside and the matter is remanded for passing orders afresh in accordance with law and on merits.

5. The Original Side Appeal is allowed, accordingly. No costs. Consequently connected miscellaneous petitions are closed.

Sd/-

Vacation Officer

//True Copy//

Sub Assistant Registrar

ms/mk

To

The Administrative General and
Official Trustee of Tamil Nadu,
High Court Campus,
Chennai-600 104.



Copy to:

The Sub Assistant Registrar,
Original Side,
High Court,
Madras.

+1cc to Mr.T.T.Ravichandran, Advocate SR. No. 31423

O.S.A.No.143 of 2022
and
C.M.P.Nos.8765, 8767 & 8768 of 2022

CA (CO)
PR (20/05/2022)