

Listed on: 23.11.2016

Court No.

Item No.

SECTION XII

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. 3438-3440 OF 2008

WITH

INTERLOCUTORY APPLICATION NOS. 5-7

(Applications for permission to raise additional grounds)

M/s. Madras Cements Limited Etc. ...Appellant

versus

The State of Tamil nadu & Ors. Etc. ...Respondents

OFFICE REPORT

CIVIL APPEAL NOS. 3438-3440 OF 2008

The matters above mentioned have been filed against their Judgment and order dated 16th October, 2006 of the High Court of Judicature at Madras in WA No. 1068, 1069 and 1070 of 2003.

The matters were listed alongwith SLP (C)No. 6250 of 2015 before the Hon'ble Court on 29th March, 2016, when the Court was pleased to pass the following order:-

"The learned counsel for the petitioner seeks two more weeks' time to file a chart as directed by this Court on 14.10.2015.

The time, as prayed for, is granted.

The chart shall clearly indicate as to the date of taking possession and the mode of taking possession of each item of the property, if at all they have taken possession.

It shall also be indicated in the chart the mode of payment or deposit of compensation of each item.

A copy of the chart shall be furnished to the respondent on or before 10.04.2016.

In case the chart is not filed on or before 10.04.2016, it shall be presumed that they have not taken physical possession of the property and the officers responsible for

...2/-

not filing the chart shall be personally made liable for the consequences.

Post on 12.04.2016 on top of the list.

In the batch, the cases shall be serially numbered while listing.

Delay condoned and issue notice in all the fresh matters returnable on 12.04.2016.

List all the matters on 12.04.2016."

Thereafter, the matter above-mentioned was listed before the Hon'ble Court on 8th September, 2016, when the Court was pleased to direct listing of instant matter alongwith connected matters on 23rd November, 2016.

It is submitted that Mrs. Prabha Swami, Counsel for the appellant, has on 18th November, 2016, filed applications for permission to raise additional grounds, which have been registered as Interlocutory Application Nos. 5-7. Copy of the same is placed with Civil Appeal paper books.

It is submitted that there are three Respondents common in all the appeals. Respondent Nos. 2 and 3 are represented through Mr. B. balaji, Advocate. Respondent No. 1 has been served with notice but no one has entered appearance on his behalf.

Service of notice is complete.

It is further submitted that counsel for the Appellant has filed statement of case but the counsel for the respondent has not filed statement of case in terms of Order XIX Rule 32(2) Supreme Court Rules, 2013, and its proviso, where a party does not file statement of case within the time prescribed, it shall be presumed that the party does not desire to file statement of case and the party has adopted list of dates/synopsis as statement of case.

The matters above mentioned are listed before the Hon'ble Court with this office report.

Dated this, the 22nd day of November, 2016.

ASSISTANT REGISTRAR

COPY TO: Mrs. Prabha Swami, Advocate.
Mr. B. Balaji, Advocate.

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ASSISTANT REGISTRAR

