



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.07.2016

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN**Review Application (MD)Nos.110 to 113 of 2015****and****M.P. (MD)Nos.1,1,1 and 1 of 2015**

The Special Tahsildar,
(Land Acquisition),
Defence Department,
Unit -III, Nanguneri,
Tirunelveli District.

(Now merged with Tahsildar Office,
Radhapuram)

: Petitioner in all Review Applications
Vs.

Murugan Pillai (Died)

- 1.Indira Ammal
- 2.Jeyakalyani
- 3.Athikari, S/o.Deivanayagam Pillai
- 4.Deivanayaki
- 5.Muthammal
- 6.Piravazhi Perumal
- 7.Kalyani
- 8.Parvathi
- 9.Shenbagakomathi
- 10.Athikari, S/o.Sivasubramania Pillai
- 11.Krishnamoorthi
- 12.Arunachalam
- 13.Parvathi
- 14.Arasu Athikari
- 15.Sankarakumar
- 16.Kalyani
- 17.Kothainatchiyar
- 18.The Union of India,

Rep. by the Defence Estate Officer,
Chennai Taluk,
Chennai.

: Respondents in Review Application
(MD)No.110 of 2015

Murugan Pillai (Died)

- 1.Muthammal
- 2.Piravazhi Perumal
- 3.Kalyani
- 4.Parvathi



5. Shenbagakomathi
6. Athikari, S/o. Sivasubramania Pillai
7. Krishnamoorthi
8. Arunachalam
9. Parvathi
10. Arasu Athikari, S/o. Alwarppan Pillai
11. Sankarakumar
12. Kalyani
13. Kothainatchiyar
14. Jeyakalyani
15. Athikari, S/p. Late Deivanayagam Pillai
16. Deivanayaki
17. The Union of India,
Rep. by the Defence Estate Officer,
Chennai Taluk,
Chennai.

: Respondents in Review Application
(MD) Nos. 111 to 113 of 2015

Common Prayer: Review Applications are filed under Order 47 Rule 1 of Code of Civil Procedure to review the common order dated 06.07.2015 passed by this Court in C.R.P. (NPD) (MD) Nos. 1268, 1269, 1270 and 1271 of 2015.

Prayer in CRP (MD). 1268/ 2015 : To set aside the Fair and Decretal order passed in E.P.No.86 of 2010 in LAOP No.123 of 1983 dated 15.04.2015 on the file of the Principal Sub Court, Tirunelveli by allowing this CRP and thus render justice.

Prayer in CRP (MD). 1269/ 2015 : To set aside the Fair and Decretal order passed in E.P.No.87 of 2010 in LAOP No.66 of 1985 dated 15.04.2015 on the file of the Principal Sub Court, Tirunelveli by allowing this CRP and thus render justice.

Prayer in CRP (MD). 1270/ 2015 : To set aside the Fair and Decretal order passed in E.P.No.124 of 2010 in LAOP No.201 of 1994 dated 15.04.2015 on the file of the Principal Sub Court, Tirunelveli by allowing this CRP and thus render justice.

Prayer in CRP (MD). 1271/ 2015 : To set aside the Fair and Decretal order passed in E.P.No.125 of 2010 in LAOP No.203 of 1994 dated 15.04.2015 on the file of the Principal Sub Court, Tirunelveli by allowing this CRP and thus render justice.

For Petitioner : Mr. G. Muthukkannan,
Government Advocate

COMMON ORDER

<https://hcservices.ecourts.gov.in/hcservices/>

Heard the learned Government Advocate appearing on behalf of the review petitioner.



2. The applications are to review the common order dated 06 July, 2015, in C.R.P.(NPD)(MD)Nos.1268, 1269, 1270 and 1271 of 2015.

3. I have passed the order on 06 July, 2015, taking into account the failure on the part of the petitioner herein to deposit the money, in spite of the expiry of several years after the acquisition. I have also imposed cost while dismissing the Civil Revision Petitions. It is a matter of record that even after the dismissal of the Civil Revision Petitions, the petitioner has not deposited the money. According to the petitioner, the Union of India is yet to sanction the amount and only thereafter, money has to be deposited before the Reference Court. The inability of the petitioner to collect the amount from Union of India cannot be a reason to review the earlier order passed by this Court. Nothing prevented the petitioner from claiming the amount from the Union of India and depositing the same before the Court.

4. The land was acquired long back. The claimants cannot be made to wait under the pretext that the Union of India is yet to pay the money. In any case, there are no grounds made out to review the order dated 06 July, 2015, in C.R.P.(NPD)(MD)Nos.1268, 1269, 1270 and 1271 of 2015.

5. The Review Applications are dismissed. Consequently, the connected miscellaneous petitions are also dismissed.

Sd/-

Assistant Registrar(AE)

/True copy/

Sub Assistant Registrar

To

1. The Principal Subordinate Judge, Tirunelveli.

2. The Special Tahsildar, (Land Acquisition),
Defence Department, Unit -III, Nanguneri, Tirunelveli District.
(Now merged with Tahsildar Office, Radhapuram)

SML

CSL/AAL-MPA/20.07.2016 : 3P/3C

Common Order made in
Review Application (MD)Nos.110 to 113 of 2015

Dated:- 05.07.2016