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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE K.K. SASIDHARAN
and
THE HONOURABLE MR.JUSTICE P.VELMURUGAN

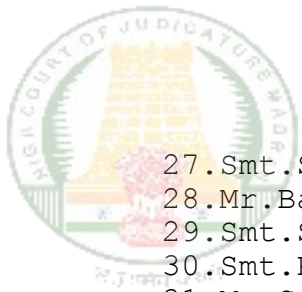
Review Application No.220 of 2017
in W.A.No.509 of 2013

A.Ammaiyappan

.... Petitioner/Appellant

-vs-

1. The State of Tamilnadu
rep. By the Commissioner,
Land Administration, Chepauk,
Chennai - 600 005.
2. The District Revenue Officer, Karur.
3. The Revenue Divisional Officer, Karur.
4. The Tahsildar, Karur.
- 5.M.Duraisami
- 6.Mr.Kuppusamy
- 7.Mr.Nithyanandam
- 8.Mr.Karuppa Gounder
- 9.Mr.Ammaiyappan
- 10.Mr.Subramani
- 11.Mr.PalaniappaGounder
- 12.Mr.AmmaiyappaGounder
- 13.Mr.N.Ammaiyappan
- 14.Smt.Selvambal
- 15.Smt.Sakunthaladevi
- 16.Smt.Vijayalakshmi
- 17.Smt.Parameswari
- 18.Mr.N.Karupannan
- 19.Mr.M.Muthusamy
- 20.Mr.Ramasamy
- 21.Mr.Kandasamy
- 22.Mr.Ponnusamy
- 23.Mr.A.PalaniappaGounder
- 24.Mr.M.Arunachalam
- 25.Mr.Arumugam
- 26.Mr.Ramasamy



27.Smt.Samiyathal
28.Mr.Balasubramani
29.Smt.Sudha
30.Smt.Kala
31.Mr.Suresh
32.Mr.Ramesh
33.Smt.Soliammal
34.Smt.Karunambal
35.Mr.Palanisamy
36.Mr.Manoharan
37.Mrs.Marayee
38.Mr.Kuppusamy
39.Mr.Selvaraj
40.Smt.Lakshmi

.... Respondents

PRAYER: Review Petition filed under Order XLVII Rule 1 & 2 read with Section 114 of the Code of Civil Procedure, 1908 to review the order dated 09.10.2017 made in W.A.No.509 of 2013.

WA.NO.509/2013:

Set aside the order dated 15.11.12 made in WP.NO.42464/02 on the file of this court.

WP.NO.42464/2002:

Writ of Certiorarified Mandamus or any other appropriate Writ or order or direction in the nature of Writ calling for the entire records relating to the impugned order in P.M.K.3/22925/02 DT.12.11.2002 on the file of the 1st respondent and quash the same as illegal, arbitrary unenforceable in law and consequently direct the respondents 1 to 4 to grant independent patta my name for S.NO.379 1 A, 379 1B and 379 1C, karur Village, 7.65 acres based on revenue records and thus render justice.

For Petitioner : Mr.V.Raghavachari

For Respondents: Mr.V.Anandamurthy, AGP - R1 to R4
Mr.R.G.Narendiran - R5 to R7, R10
R18, R20 to R22, R24, R34 & R35
No appearance - R8, 13 to 17, 23,
25 to 28, 30 to 33 and 36 to 39
R40 - D/w



O R D E R

[Order of the Court was made by
K.K.SASIDHARAN,J.]

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The petitioner has come up with this Review Petition on the ground that while making observation that no Civil Court has given any declaratory relief to any of the parties to the proceedings in respect of 9.82 acres minus 2.17 acres acquired by the Government, the earlier judgement in S.A.No.42 of 2002 dated 10.03.2011 was omitted to be considered by this Court.

2. We have heard learned counsel for the petitioner and the learned counsel for respondent Nos.5 to 7.

3. This Court while deciding the lis involved in W.A.No.509 of 2013 having found that there was no comprehensive Suit filed by the petitioner before a competent Civil Court for declaration of title, observed that there was no Civil Court decree giving any declaratory relief. However, in the very same order, we have referred to the earlier proceedings in S.A.No.42 of 2002. We have relegated the parties to the District Revenue Officer, Karur.

4. We only clarify our earlier order to the effect that the observation with regard to the Civil Court proceedings for declaratory relief was only on account of the non filing of a comprehensive suit by the petitioner. We make it clear that while considering the issue, the District Revenue Officer, Karur shall also take into account all the binding judgments given by the Court which have attained finality.

5. The Review Application is disposed of with the above clarification. No costs.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

1. The State of Tamilnadu
rep. By the Commissioner,
Land Administration, Chempauk,
Chennai - 600 005.
2. The District Revenue Officer, Karur.



3. The Revenue Divisional Officer, Karur.

4. The Tahsildar, Karur.

+1cc to Mr.V.Raghavachari, Advocate sr.no.51735

+1cc to Mr.R.G.Narendiran, Advocate sr.no.51624

Review Application No.220 of 2017
in W.A.No.509 of 2013

rv(co)
nr 01/08/2018