

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.03.2017

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

Rev.Aplw.No.161 of 2016
in W.P.No.33070 of 2016

Ms.N.S.Jaya,

.. Petitioner

Vs.

1. Mrs.M.Devi,
2. Mrs.M.Lavanya,
3. Mrs.M.Suganya,

4. The Assistant Commissioner of Urban
Land Ceiling and Tax - Mylapore,
Slum Clearance Board Office Compound,
No.124, R.K. Mutt Road,
Mylapore, Chennai - 600 004.

5. The Tahsildar,
Mylapore - Thiruvanmaiur Taluk,
Taramani 200 ft. Road,
Velachery, Chennai - 600 042.

.. Respondents

Petition filed under Order 47 Rule 1 r/w. Section 114 of CPC to review
the order dated 21.09.2016 passed in W.P.No.33070 of 2016.

For Petitioner	: Mr. P.Subba Reddy
For Respondents	
R1 to R3	: Mr.R.Ragavendran
R5	: Mr.A.N.Thambidurai
	Special Government Pleader

ORDER

This review application has been filed to review the order in W.P.No.33070 of 2016 dated 21.09.2016.

2.Heard Mr.P.Subba Reddy, learned counsel appearing for the petitioner, Mr.R.Ragavendran, learned counsel appearing for the respondents 1 to 3/writ petitioners and Mr.A.N.Thambidurai, learned Special Government Pleader appearing for the 5th respondent.

3.The respondents 1 to 3/writ petitioners approached this Court for a direction upon the official respondents to issue notice and provide opportunity of hearing to them based on the representation dated 03.09.2016 in respect of the application made by the review petitioner/3rd respondent. The court disposed of the writ petition at the admission stage by order dated 21.09.2016 directing the official respondents, namely, the respondents 4 and 5 to consider the writ petitioners' objections dated 03.09.2016. The review petitioner is before this Court on the ground that she was not heard when the writ petition was disposed of and there are several facts to be placed on record to show that the writ petitioners are not entitled to any relief.

4.The learned counsel for writ petitioners would fairly submit that even prior to the order being passed in the writ petition, patta has been issued to the review petitioner and therefore, no further would be required in the writ petition except to observe that it is open to the writ petitioners to question the order granting patta to the review petitioner by way of separate proceedings before the competent authority.

5.Learned counsel appearing for the review petitioner would submit that the writ petitioners are guilty of suppression of material facts and they are civil proceedings in their favour.

6.In any event, these issues are the subject matter for being considered by the appropriate authority as and when need arises.

7.Accordingly, the review application is allowed and the order in W.P.No.33070 of 2016 dated 21.09.2016 is recalled and the writ petition is disposed of by leaving it open to the writ petitions to work out their remedy in accordance with law. No costs.

17.03.2017

Index : Yes or No
Internet : Yes or No
cse

T.S.SIVAGNANAM,J.

cse

To

1.The Assistant Commissioner of Urban
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