



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.03.2019

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
and
THE HONOURABLE MR.JUSTICE M.SUNDAR

Rev.Aplw.No.8 of 2017

J.Suscila ... Review Petitioner / Petitioner

-vs-

- 1.The District Collector,
Government of Puducherry,
Puducherry.
- 2.The Director,
Land and Survey Department,
Government of Puducherry,
Puducherry.
- 3.The Sub Collector (South),
Government of Puducherry,
Villianur, Puducherry.
- 4.The Tahsildar,
Revenue Department,
Government of Puducherry,
Villianur, Puducherry. ... Respondents/ Respondents

Prayer: Review Petition filed under Order 47 Rule 1 r/w.
Section 114 of CPC against the order dated 02.01.2017 made
in W.P.No.38238 of 2016.

Prayer in W.P.No.38238 of 2016:

Writ Petitions filed under Article 226 of the
Constitution of India to Directing the respondents to
remove the lock put up in the house comprised in Resurvey
No.108/2, Pillaiyar Koil Street, Sanyasikuppam Village
Situate within the Thirukanoor Sub District and Pondicherry
Registration District within the time.

For Petitioner : Mr.M.Gnanasekar



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ORDER

(Order of the Court was made by T.S.Sivagnanam, J.)

This review application has been filed to review the order and direction issued in W.P.No.38238 of 2016 dated 02.01.2017.

2.At the outset we may point out that this review petition has been filed by a counsel than the counsel who had appeared for the writ petitioner before the Hon'ble Division Bench.

3.The review petitioner claims that she is the widow of the freedom fighter and she has been residing in the property in question for several years. In the writ petition, counter affidavit has been filed by the Tahsildar, from which, it is seen that the land has been classified as Vandī Pathai. If such is the classification of the land, the question of the petitioner constructing a house in the said property or claiming for grant of patta does not arise.

4.The learned counsel for the review petitioner would submit that several other persons have been granted patta in the very same survey number but there cannot be any equality in illegality.If the respondents had granted such pattas, then it goes without saying that those source pattas are illegal since Vandī Pathai cannot be re-classified or de-classified for a different purpose. Thus, we find that there are no grounds to review the order and direction issued in the writ petition. Accordingly, the review application fails and is dismissed.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

cse
To

- 1.The District Collector,
Government of Puducherry,
Puducherry.
- 2.The Director,
Land and Survey Department,
Government of Puducherry,
Puducherry.



3.The Sub Collector (South),
Government of Puducherry,
Villianur, Puducherry.

4.The Tahsildar,
Revenue Department,
Government of Puducherry,
Villianur, Puducherry.

+1cc to Mr. M.Gnanasekar, Advocate SR.No. 24091

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A.SK(09/04/2019)