

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.03.2018

CORAM

THE HON'BLE MR. JUSTICE R.SUBRAMANIAN

Review Application No.217 of 2017

1. Tamil Nadu Chief Revenue Controlling Officer
-cum- Inspector General of Registration (T.N.)
100, Santhome High Road,
Chennai 600 028.
 2. The Special Deputy Collector (Stamps)
3rd Floor Collector Office Complex,
Korampallam, Tuticorin.
 3. District Registrar,
District Registration Office,
Tuticorin.
 4. The Sub-Registrar,
Tiruchendur,
Tuticorin District.
- ... Review Petitioners

सत्यमेव जयते
vs.

S.Shanmuga Raja,
Plot No.62/2, Balaji Nagar,
14th Street, Adambakkam,
Chennai 600 088.

... Respondent

Review Application has been filed under Order XLVII Rule 1 of the Civil Procedure Code read with Section 114 of C.P.C, against the judgment and decree passed in C.M.A No.2365 of 2016 dated 01.09.2017 on the file of the High Court.

For Review Petitioners : Mrs. A.Madhumathi
Additional Government Pleader

For Respondent : Mr.S.Shanmuga Raja
(Party in person)

J U D G M E N T

This Review Application has been filed seeking for review of the judgment dated 01.09.2017 passed in C.M.A No.2365 of 2016.

2. The Review application has been filed by the respondents in CMA No.2365 of 2016, the said Civil Miscellaneous Petition came to be allowed by me on 01.09.2017, on the ground that the final order was passed three months after the issuance of the first notice. I had relied upon the judgment of this Court, in ***Vijayalakshmi v. Chief Controlling Revenue Authority cum Inspector General of Registration***, reported in **2012 (3) LW 27**, while disposing of the appeal.

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3. The learned Additional Government Pleader would contend that a Division Bench of this Court in WP (MD) Nos.1176 of 2017 etc. dated 09.10.2017 held that the time limit stipulated in Rule 7 (1) of the Tamil Nadu State (Prevention of Undervaluation of Instruments) Rules

4. The judgment in CMA No.2365 of 2016 delivered on 01.09.2017, i.e, before the judgment of the Division Bench of this Court dated 09.10.2017. Explanation to Order XLVII Rule 1 of the Code of Civil Procedure, reads as follows:

“Explanation- The fact that the decision on a question of law on which the judgment of the Court is based has been reversed or modified by the subsequent decision of a superior Court in any other case, shall not be a ground for the review of such judgment.”

5. In view of the said explanation, I do not think the review can be entertained, on the basis that the judgment relied upon by me has been reversed or modified by the subsequent judgment of the Division Bench of this Court dated 09.10.2017. Hence, the Review Application is dismissed. No costs.

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Index: No

Internet: Yes

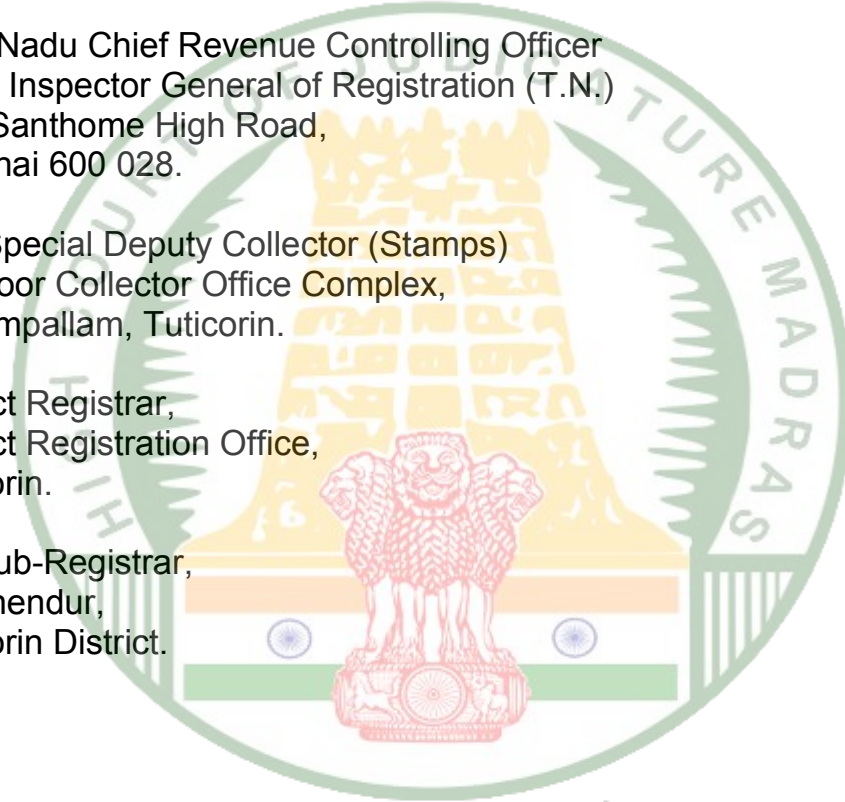
<http://www.judis.nic.in> Speaking order

R.SUBRAMANIAN,J.

Jv

To

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