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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.03.2019

CORAM

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

REVIEW APPLICATION No.65 of 2018
in
W.A.No.2257 of 2013

Sundarasamy ... Petitioner/Respondents/Petitioner

Vs.

1.State of Tamil Nadu,
Represented by the Secretary,
Revenue and Urban Land Department,
Fort St.George,
Chennai - 600 009.

2.Competent Authority and
Assistant Commissioner,
Urban Land Ceiling,
Coimbatore. ... Respondents/Appellant/Respondent

Prayer:
Review Application filed under Order XLVII Rule 1 and 2 r/w Section 114 of C.P.C., to review the judgment passed in W.A.No.2257 of 2013, dated 23.01.2018 Writ Appeal filed under clause 5 of Letters patent against the order dated 20.04.2012 made in WP No.100 of 2006 praying to issue a writ of certiorarified mandamus **C**alling for the records of the 2nd respondnet in connection with the proceedings vide Ref.No. Na.Ka.6386/92/E2 datd 22.12.1992 and quash the same and for bearing the respondent from interfering with the peaceful possession and enjoyment of the petitioner house site property in respect of Survey No.164/1E Saravanampatty Village coimbatore Taluk Coimbatore District.

For Petitioner : Mrs.P.V.Rajeswari

For Respondents: Mrs.A.Srijeyanthi
Special Government Pleader

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O R D E R

(Judgment of the Court was delivered by K.K.SASIDHARAN,J.)

The petitioner has come up with this review petition to review the judgment dated 23 January 2018 in W.P.No.2275 of 2013 on the ground that there is an error apparent on the face of the record, inasmuch as while considering the legality of the proceedings initiated by the competent authority, the release deed dated 28.12.1992 was not taken note by this Court.

2.It is a matter of record that statutory proceedings were initiated by the competent authority even before the execution of release deed. In fact notice under Section 9 (5) of the Act was issued on 22.12.1992. The so called release deed was subsequent to the initiation of the proceedings. Such being the factual position, there is no error apparent on the face of the record, except the fact that document dated 28.12.1992 was categorised as a sale deed. Even such a mistake would not go to the root of the matter for the simple reason that title was passed only by the document dated 28 December, 1992.

3. We do not find any reason to entertain the review application.

4. In the upshot, we dismiss the review application. No costs.

Sd/-
Assistant Registrar(Insp.cell)

//True copy//

Sub Assistant Registrar

ms/vum

To

1.The Secretary,
State of Tamil Nadu,
Revenue and Urban Land Department,
Fort St.George,
Chennai - 600 009.

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2.The Competent Authority and
Assistant Commissioner,
Urban Land Ceiling,
Coimbatore.

+2cc to Mr.P.V.Rajeswari, Advocate SR.No.29630

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GJII(CO)
GMY(07/05/2019)

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