



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

Monday, the Seventeenth day of December Two Thousand Eighteen

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PRESENT

The Hon`ble Mr.Justice K.K.SASIDHARAN

The Hon`ble Mr.Justice G.R.SWAMINATHAN

WMP(MD) No.20384 of 2018

IN

REV.APLW(MD) No.SR100385 of 2018

KAVITHA

... PETITIONER/PETITIONER

Vs

1 THE DISTRICT REVENUE OFFICER,
TIRUNELVELI DISTRICT, TIRUNELVELI .

2 S.MARIYAPPAN

... RESPONDENTS/RESPONDENTS

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to delay is neither willful nor wanton. In such circumstances, unless this Honourable court condones the delay of 363 days filing the above Review Application .

PRAYER IN REV.APLW(MD) No.SR100385 of 2018

To review the order passed in WP(MD) No. 15561/2014 on 31.07.2017 and set aside the same and allow the Writ Petition by allowing the above review application,

Prayer in WP(MD). 15561/ 2014 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Certiorarified Mandamus for the records pertaining to the impugned order passed by the respondent herein in Na.Ka.No.A3/27904/12 dated 10.9.2014 and quash the same and consequently direct the respondent not to interfere with the peaceful possession and enjoyment over the property mentioned in S.No.1866 of an extent 81.5 cents situated at Seevalaperi Village, Palayamakottai Taluk, Tirunelveli.

ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.M.SAKTHIKUMAR, Advocate for the petitioner and of MR.A.K.BASKARAPANDIAN, Special Government Pleader, on behalf of the 1st Respondents , court made the following order:-



(Order of the Court was made by K.K.SASIDHARAN, J.)

The petitioner has filed this Miscellaneous Petition to condone the delay in filing the review application.

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2. The affidavit filed by the petitioner is bereft of particulars. According to the petitioner, the copy of the order was received only on 28.08.2017. Thereafter, she took opinion as to whether a review can be filed and after getting an opinion, review petition has been filed. There is nothing on record to show that when the opinion was sought and when it was received. It is true that length of delay alone is not material, it is the reason given for the delay, which is material. The reason given by the petitioner cannot be construed to be a valid reason to condone the delay. We, therefore, dismiss the Miscellaneous Petition. No costs.

sd/-
17/12/2018

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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

THE DISTRICT REVENUE OFFICER,
TIRUNELVELI DISTRICT, TIRUNELVELI .

+1 C.C to MR.M.SAKTHIKUMAR, Advocate SR.No. 100860

ORDER
IN
WMP(MD) No.20384 of 2018
IN
REV.APLW(MD) No.SR100385 of 2018
Date :17/12/2018

MSI/JC/SAR-IV/04.01.2019-2P/3C