

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **30.04.2021**

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

C.R.P.(NPD).No.2296 of 2018
and C.M.P.No.14350 of 2018

Thangarasu

... Petitioner

Vs

1.The State rep. by
The District Collector,
Ariyalur.

2.The Tasildar (ADW),
Ariyalur.

... Respondents

Prayer: Civil Revision Petition filed under Article 227 of Constitution of India, challenging the order and decretal order in O.S.No.121 of 2012 dated 09.01.2018 on the file of Subordinate Court at Ariyalur.

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For Petitioner : Mr.V.Raghavachari

For Respondents : Mr.S.Jaganathan GA(CS) for R1 and R2

ORDER

This Civil Revision Petition is filed challenging an order and decreetal order in O.S.No.121 of 2012 dated 09.01.2018 on the file of Subordinate Court at Ariyalur, thereby dismissing the suit filed for declaration.

2. The petitioner is the plaintiff and the respondents are the defendants. The petitioner filed a suit for declaration declaring that the proceedings initiated by the respondents in respect of suit property is lapsed and void on account of non payment of compensation by the defendants and consequential injunction restraining the respondents in any manner interfering with the peaceful possession and enjoyment of the suit property.

3. Resisting the same, the respondent filed the written statement stating that the petitioner already challenged the Land Acquisition Proceedings before this Court by way of various writ petitions and all the writ petitions were dismissed. Having failed before this Court, the petitioner challenged the acquisition proceedings by way of the suit.

4. The trial Court considering the above aspects, has dismissed the suit by the Judgment and Decree dated 09.01.2018. Aggrieved by the Judgment and Decree, the petitioner filed the present Civil Revision Petition without preferring any appeal suit as provided under the Civil Procedure Code.

5. When there is a specific remedy available for the petitioner to file an appeal suit as against the Judgment and Decree passed in the suit, the present Civil Revision Petition filed under Article 227 of Constitution of India has not at all maintained and liable to be dismissed.

6. Accordingly, this Civil Revision Petition is dismissed. No order as to costs. Consequently, the connected miscellaneous petition is closed.

Internet:Yes
Index:Yes/No
Speaking/Non speaking order
rna

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To

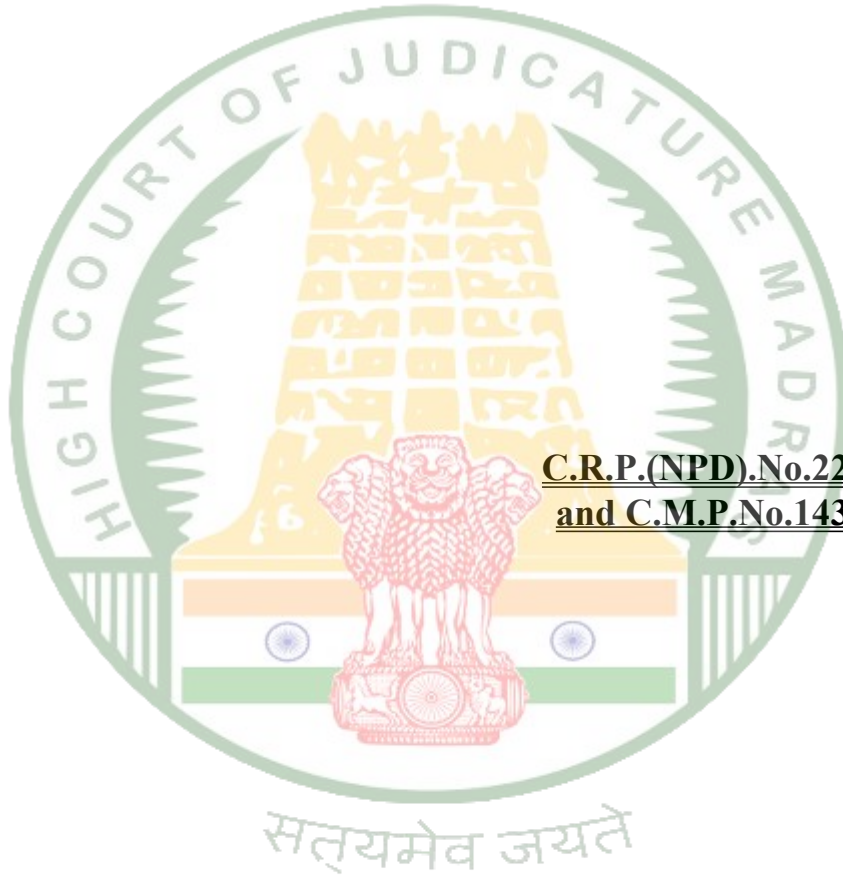
- 1.The Subordinate Court,
Ariyalur.
- 2.The District Collector,
Ariyalur.
- 3.The Tasildar (ADW),
Ariyalur.



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G.K.ILANTHIRAIYAN. J,

rna



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