



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH
AND
THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.M.P.(MD)No.3832 of 2021
in
REV.APLW(MD)No.SR12747 of 2021

P.M.Jeeva ... Petitioner/Applicant/
3rd Party

Vs.

1.Pandian ...1st Respondent/1st Respondent/
Petitioner

2.The District Collector,
Madurai,
Madurai District.

3.The Commissioner,
Madurai Corporation,
Madurai.

4.The Revenue Divisional Officer,
Thirupparankundram,
Madurai.

5.The Block Development Officer,
Thirupparankundram,
Madurai.

6.The Tahsildar,
Thirupparankundram,
Madurai.

...Respondents 2to6/Respondents 2to6/
Respondents

PRAYER in W.M.P.(MD)No.3832 of 2021:

Petition filed under Article 226 of the Constitution of India seeking leave to file the review application against the order passed in W.P.(MD)No.1969 of 2021, dated 19.02.2021.

PRAYER in REV.APLW.(MD)No.SR12747 of 2021:

Petition filed under Order 47 Rule 1 r/w 114 of the Civil Procedure Code to review the order passed in W.P.(MD)No.1969 of 2021, dated 19.02.2021.



Prayer in WP(MD). 1969/ 2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a writ of Mandamus directing the respondents to remove the encroachments made in petitioner's lane (Public pathway) viz., Nellaiyapparapuram Main Street, Ward N.97 Thirunagar, Madurai by considering the representation dated 10-12-20 and pass orders on merits and in accordance with law within the period that may be stipulated by this Honourable Court.

For Petitioner : Mr.S.Loganathan

ORDER

(Order of the Court was made by **M.M.SUNDRESH, J.**)

The petitioner seeks to review the order passed by this Court dated 19.02.2021 on the premise that the proceedings of the second respondent in the writ petition indicates that the petitioner herein is an encroacher.

2. The learned Counsel appearing for the petitioner submitted that based upon the order passed, an attempt is being made to evict the petitioner. According to the petitioner, it is not a public land.

3. We have only directed the second respondent in the writ petition to proceed in accordance with law. We have not expressed anything on the merits of the case. If, without following the due procedure, the petitioner herein is sought to be evicted, he can always have recourse to law.

4. With the above observation, this miscellaneous petition stands disposed of. Consequently, the proposed review application, which is in SR stage, stands closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

GK



To

- 1.The District Collector,
Madurai,
Madurai District.
- 2.The Commissioner,
Madurai Corporation,
Madurai.
- 3.The Revenue Divisional Officer,
Thirupparankundram,
Madurai.
- 4.The Block Development Officer,
Thirupparankundram,
Madurai.
- 5.The Tahsildar,
Thirupparankundram,
Madurai.

Order made in
W.M.P. (MD)No.3832 of 2021 in
REV.APLW(MD)No.SR12747 of 2021
10.03.2021

TP (CO)
SRS (23/03/2021) 3P : 6C