



WEB COPY



Review Application (Writ) Nos.30 and 31 of 2022
against W.P.Nos.7406 and 7407 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.06.2022

CORAM

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

Review Application (Writ) Nos.30 and 31 of 2022
and WMP.Nos.6172 & 6176 of 2022
against
W.P.Nos.7406 & 7407 of 2017

Thiru.S.Bhuvaneswaran,
S/o.Sadagopan.

.. Petitioner in Rev.Appln.No.30 of 2022

Thiru.S.Vaitheeswaran,
S/o.Sadagopan.

.. Petitioner in Rev.Appln.No.31 of 2022

Vs.

1. The Secretary, Revenue Department,
Puducherry Secretariat,
Puducherry.
2. Sub-Collector (Revenue)/ Deputy Collector (Revenue),
North-Cum-Authorised Officer (Land reforms)
Puducherry

.. Respondents in both Rev. Applns

Common Prayer : The Petition is filed under Order XLVII Rule-1 of Code of Civil Procedure, to Review the Judgment dated 21.09.2021 passed in W.P.Nos.7406 and 7407 of 2017 respectively on the file of this Court.



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For Petitioner
in both Rev.Applns

: Mr.Srinath Sridevan
for Mr.R.Udhayakumar.

For Respondents
in both Rev.Applns

: Mr.C.T.Ramesh
Additional Government Pleader,
Puducherry

COMMON ORDER

Both the petitions have been filed to review the judgment dated 21.09.2021 passed by this Court in W.P.Nos.7406 and 7407 of 2017.

2. This Court passed a common order in both the Writ Petitions in W.P.Nos.7406 and 7407 of 2017. The learned counsel appearing for the petitioner pointed out that, by an order dated 21.12.2021 in W.P.No.19280 of 2021, this Court directed the concerned authorities to consider the representation of the petitioners with reference to substitution of other lands, in lieu of the surplus lands which are already taken over. In the light of the similar request made in the case of M/s.H & R Johnson (India) Ltd., the request of that petitioner was considered.



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3. The learned Additional Government Pleader (Pondy) for the respondents also submits that the representations of the petitioner dated 24.11.2014 and 19.01.2015 are not considered by the authorities concerned.

4. Considering the above submissions, this Court is inclined to review the portion of the order, with regard to the consideration of the request of the petitioner to substitute any other land in lieu of the surplus lands which are taken over. Since in majority of the cases the lands are plotted into layouts, it is not considered to be surplus land taken over.

5. In the light of the request considered by this Court in the similar case of M/s. H & R Johon (India) Ltd., and in view of the second limb of the prayer sought for by the petitioner in the Writ Petitions in W.P.Nos.7406 & 7407 of 2017, the second respondent is directed to consider the representations of the petitioners dated 24.11.2014 & 19.01.2015, after giving an opportunity of hearing to the petitioner and pass order on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this Order. It is made clear that insofar as the second limb of the order of this Court in W.P.Nos. 7406 & 7407 of 2017 viz., “it is not possible to consider the request



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of the petitioner to substitute any other lands in lieu of the surplus lands taken over” is alone set aside.

6. With the above direction, these review applications are disposed of.

Consequently, connected miscellaneous petitions are closed.

15.06.2022

Internet : Yes

Index : Yes/No

Speaking/Non Speaking order

nsa/rts



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- To
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G.K.ILANTHIRAIYAN, J.

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