



Review Application No.103 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.04.2022

CORAM: **JUSTICE N.SESHASAYEE**

Review Application No.103 of 2021
and W.M.P.No.17797 of 2021

P.Subramanian

... Petitioner / Petitioner

Vs.

1.The District Collector
Erode District
Erode.

2.The District Collector
Tiruppur District
Tiruppur.

3.The Revenue Divisional Officer
Dharapuram
Tiruppur District.

... Respondents

PRAYER: Review Petition filed under Order 47 Rule 1 & r/w. 114 of CPC.,
praying to review the order passed by this Court in W.P.No.19690 of 2020,
dated 02.03.2021.

For Petitioner : Mr.C.Prakasam

For Respondents : Mr.P.Sanjay Gandhi
Government Advocate



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ORDER

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The petitioner herein has filed W.P.No.1323 of 2007 seeking a direction to the authorities to make a reference under Section 18 of the Land Acquisition Act, as regards the award passed well before 1989. In its order dated 02.07.2007, the Court has held that, with or without notice under Section 12(2) of the Land Acquisition Act, the petitioner knew about the passing of the award atleast in 1989, when a reference under Section 30 of the Land Acquisition Act was made, and taken on record by the concerned Tribunal in L.A.O.P.No.28/1989, which itself would have served as a notice of passing of the award.

2. The learned counsel for the petitioner submitted that the aforesaid L.A.O.P.No.28/1989 was disposed of in 1995, and immediately thereafter, he filed a representation before the District Collector for making a reference under Section 18 of the Act, and since the District Collector did not take any decision on the same, the writ petitioner preferred W.P.No.1323 of 2007, and that he withdrew the same on 02.07.2007, when an assurance was given that his writ petition would be considered. And, he filed the next writ petition for activating what that was required to be activated, after some thirteen years, in W.P.No.19690 of 2020.



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3. The learned counsel submitted that the substantial right to the property of the petitioner is in jeopardy, since he was not paid the value of the land.

4. It may be true that the petitioner might have been aggrieved, but law aids those who are diligent in pursuing their rights. Therefore, the ground for review does not involve, as there was no error apparent on the face of the record, nor has it ignored any of the settled legal principle that is binding upon this Court on the date when this Court disposed of the writ petition in W.P.No.19690 of 2020, to be precise on 02.03.2021.

5. This Court does not find any need to review the order of this Court dated 02.03.2021 in W.P.No.19690 of 2020, and hence, this review application stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

21.04.2022

ds



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N.SESHASAYEE, J.,

ds

To :

- 1.The District Collector
Erode District
Erode.
- 2.The District Collector
Tiruppur District
Tiruppur.
- 3.The Revenue Divisional Officer
Dharapuram
Tiruppur District.

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