



W.M.P.No.17805 of 2022
in
Rev.Aplw.SR. No.72696 of 2022
in
W.P.No.9249 of 2014

G.K.ILANTHIRAIYAN, J.

This petition has been filed to condone the delay of 130 days in filing the Review Petition in W.P.No.9249 of 2014.

2. The petitioner filed Writ Petition to declare the acquisition of lands of the petitioner of an extent of 0.54 acres and the buildings thereon in Survey No.42/3A1B in Kandampatti Village, Salem Taluk, pursuant to Section 4(1) of the Land Acquisition Act, 1894 under G.O.Ms.No.963 Housing Urban and Development Department, dated 16.11.1984 and Section 6 of the Act in G.O.Ms.729 Housing and Urban Development Department dated 23.05.1986 stands lapsed in view of Section 24 Clause 2 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Re-Settlement Act, 2013.

3. This Court, after considering the facts and circumstances of this case, dismissed the Writ Petition by an order dated 10.12.2021.

Aggrieved by the said order, the petitioner filed Writ Appeal in



W.A.No.228 of 2022. The Hon'ble Division Bench of this Court dismissed the Writ Appeal and confirmed the order passed by this Court dated 10.12.2021.

3. While being so, again the petitioner filed another Writ Petition in W.P.No.19332 of 2022, thereby challenging the proceedings of the fourth respondent herein dated 18.07.2022 and also seeking to consequently direct the respondents not to interfere with the petitioner's peaceful possession and enjoyment of the subject property. This Court, by an order dated 27.07.2022, dismissed the Writ Petition. Therefore, the petitioner had full knowledge about this proceedings and wantonly filed this Review Petition with a delay of 130 days.

4. It is seen that there is no sufficient reason stated in the affidavit for the delay of 130 days in filing the review petition. Similarly, the petitioner stated in the affidavit that he met with an accident and therefore he was in bed ridden. The Review Application was filed on 12.07.2022. The Writ Appeal was dismissed by the Hon'ble Division Bench of this Court on 11.02.2022. In fact, the petitioner also challenged the order passed by the fourth respondent in W.P.No.19332 of 2022 and



the same was dismissed by this Court on 27.07.2022. Therefore, the present Review Petition is nothing but a clear abuse of process of law since there is absolutely no error apparent on the face of the order passed by this Court.

5. In view of the above, this Court finds no reason to condone the delay of 130 days in filing the Review Application. Accordingly, this Writ Miscellaneous Petition is dismissed and consequently, the Review Application is dismissed at the SR stage itself.

28.09.2022

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