



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.11.2022

CORAM
THE HONOURABLE **MR.JUSTICE C.SARAVANAN**

Rev. Appl.No.163 of 2022
and
W.M.P.No.24005 of 2022
in
W.P.No.22276 of 2021

1. Tmt.K.Gracy
2. K.Benjamin

... Applicants

Vs.

1. The District Collector,
Tiruvallur District.
2. The Revenue Divisional Officer,
Ponneri,
Tiruvallur District – 601 203.
3. The Tahsildar,
Ponneri Taluk,
Tiruvallur District – 601 203.
4. The Block Development Officer,
Minjur Panchayat Union,
Minjur, Tiruvallur District,
Chennai – 601 203.
5. The President,
Attipattu Village Panchayat,
Ponneri Taluk,
Tiruvallur District,
Chennai – 600 120.



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6. The Vice President,
Attipattu Village Panchayat,
Ponneri Taluk,
Tiruvallur District,
Chennai – 600 120.

7. The Special Tahsildar (ADW),
No.23, Taluk Office Road,
Ponneri Taluk,
Tiruvallur District – 601 204.

... Respondents

PRAYER: Revision Petition filed under Order 47 Rule 1 r/w Section 114 of Civil Procedure Code, to review the order made in W.P.No.22276 of 2021 dated 28.07.2022 passed by the Hon'ble Mr.Justice C.Saravanan by setting aside the same.

For Applicants : Mr.T.V.Lakshmanan

For Respondents :

For R1-R4 & R7 : Mr.N.Naveen Kumar
Government Advocate

ORDER

This review application has been filed seeking to review the order dated 28.07.2022 in W.P.No.22276 of 2021.

2. A detailed order was passed after considering the submission of



the learned counsel for the petitioner who appeared at the time when the writ petition was taken up for hearing.

3. On 25.11.2022, when the order was being dictated in open court in the presence of the learned counsel for the petitioner and the learned Government Advocate for the first to fourth and seventh respondents, it was proposed to give a temporary relief to the applicants herein by asking them to approach a Civil Court as several disputed question of facts were involved as to whether the land, in which the applicants were putting up construction under the Kalaingar Housing Scheme 2010-2016 were on poromboke land or land that belonged to the second applicant's grandfather who had earlier sold the land to Raja Muttaiah Chettiar Charitable and Educational Trust. The learned counsel who appeared for the applicant before this Court requested that instead of Civil Court, applicants may be directed to approach the appropriate authority. Thus, order was passed on 25.11.2022 by asking the applicants to work out their remedy. Therefore, there is no merits in the present review application.



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4. Considering the fact that the applicants have put up a construction in the land in Survey.No.294/1, which perhaps belongs to the Raja Muttiah Chettiar Charitable and Educational Trust, The issue will have to be decided only in an appropriate forum. Therefore, I leave it open to the applicants to work out their remedy as mentioned in the order either before the Appropriate Authority as was requested by the learned counsel for the applicant, when the Writ Petition was disposed or by approaching the Jurisdictional Civil Court.

5. Considering the fact that the applicants have put up a construction over the land, which according to the respondents belongs to the Raja Muttiah Chettiar Charitable and Educational Trust, I give liberty to the petitioners to initiate appropriate proceedings, within a period of thirty days from today. Meanwhile, the respondents shall maintain the *status quo* as on date for a period of 60 days, in order to allow the applicants to secure interim order, if any, from the Court or the Appropriate Authority as the case may be.



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6. No further relief can be given to the applicants. This Review Application stands dismissed with the above observations. No costs. Consequently, connected miscellaneous petition is closed.

25.11.2022

Speaking/Non Speaking Order

Index : Yes/No

Internet : Yes/No

rgm

C.SARAVANAN, J.



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