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Rev.Aplw.No.167 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.12.2022

CORAM :

**THE HONOURABLE MR.JUSTICE R.MAHADEVAN
and
THE HONOURABLE MRS.JUSTICE N.MALA**

Rev.Aplw.No.167 of 2022
in
W.P.No.20734 of 2022

V.Anand Subramaniam

.. Petitioner

Vs.

1. V.Senthilkumar
2. The District Collector,
Coimbatore District.
3. The District Revenue Officer,
Pollachi Taluk, Coimbatore District.
4. The Revenue Divisional Officer,
Pollachi, Coimbatore District.
5. The Tahsildar,
The Tahsildar Officer, Pallachi,
Coimbatore District.
6. Assistant Director,
Survey and Land Records,
District Collectorate, Coimbatore.



Rev.Aplw.No.167 of 2022

7. Commissioner of Land Administration,
Ezhilagam, Near Chepauk Stadium,
Chepauk, Chennai – 600 005.

8. V.Lingaraj

9. A.Nagaraj
Respondents

..

PRAYER: This Petition is filed under Order 47 Rule 1 Read with Section 114 of C.P.C, to review the order dated 12.08.2022 in WP.No.20734 of 2022.

For Petitioner : Mr.P.Saravana Sowmiyan
For R1 : Mr.A.Kumar
For R2 to R7 : Mr.P.Muthukumar, GP

ORDER

(Order of the Court was made by R. MAHADEVAN, J.)

This petition is filed by the Review Applicant, who is the 8th respondent in WP No. 20734 of 2022, seeking to review the order dated 12.08.2022 passed by this Court in the said writ petition.

2.According to the Review Applicant, the first respondent herein filed the aforesaid Writ Petition seeking to issue a direction to the respondents therein to remove and evict the encroachments made in the pathway. This



Court by order dated 12.08.2022 disposed of the said writ petition with a direction to the official respondents to remove the obstructions, if any, on the pathway so as to make it usable as per the revenue records. It is further stated that the writ petition was filed by suppressing the fact that the so-called public pathway is not a Government Poramboke and is patta property of the review applicant. Further, a similar claim was made by the public of Pothanur Village claiming the said property as a pathway in OS.No.3602 of 1993, but it was dismissed by holding that it is a patta land. That apart, the villagers of Pothanur have two convenient roads to access the main road and they never use the alleged public pathway for their ingress and egress. However, the public of Pothanur and Kurumbampalayam Village gave a representation dated 11.12.1995 to the Sub-Collector, Pollachi seeking to use the land in question as a public pathway, but the same was rejected on 20.01.1996 after due enquiry. In such circumstances, the Review Applicant only seeks to direct the official respondents to give him one more opportunity to prove his claim. The official respondents, on the basis of the order under review, are proceeding to remove the so-called obstructions in the land of the Review Applicant. Therefore, the review applicant is before this Court to rectify the errors crept in the order



under review, which has affected his legal right.

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3. However, the learned counsel for the Review Applicant, after making some arguments, ultimately submitted that the Review Applicant has already filed an application before the District Revenue Officer, to rectify the improper entries in the revenue records with respect to his patta property and hence, it would suffice, if the same is directed to be disposed of, on merits, within a time frame to be stipulated by this court, for which, the learned counsel appearing for the respondent authorities has no serious objection.

4. Having regard to the limited relief now sought by the learned counsel for the review applicant and the same has not been seriously opposed on the side of the respondent authorities, this court directs the authority concerned, to consider the review applicant's application, if it is pending and pass appropriate orders, on merits and in accordance with law, after affording due opportunity of hearing to all the parties, as expeditiously as possible. Needless to state that the review applicant shall raise all the grounds available to them, before the authority concerned, at appropriate time.



Rev.Aplw.No.167 of 2022

WEB COPY 5. Accordingly, this Review application stands disposed of. No costs.

[R.M.D., J.] [N.M., J.]
23.12.2022

Index : Yes / No
Internet : Yes / No

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