



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **24.03.2022**

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE RMT.TEEKAA RAMAN

C.M.P(MD)No.6143 of 2020

in

Rev Ap1c(MD)SR.No.41379 of 2020

1.M.Balu

2.Maruthayammal

3.R.Vijayalakshmi

4.S.Soundararajan

5.S.Boominathan

... Petitioners/ Petitioner

Vs.

1.Ponnammal

2.A.P.Leelakrishnan

3.M.Singarayar

4.P.Varadaraj

5.Bakkiam Ammal

6.Dakshyani

7.Radha Ammal

8.Tangam @ Theivanai

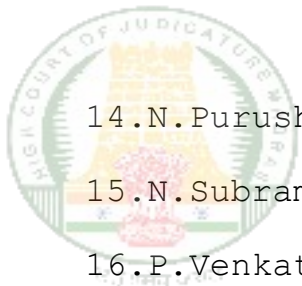
9.M.Rameela

10.P.Aarammal

11.V.Nacharammal

12.P.Sakunthala

13.V.Nammalawar



14.N.Purushothaman

15.N.Subramanian

16.P.Venkataraman

17.P.Govindaraj

18.A.Michael Pillai

19.N.Jawahar

20.N.Amaravel

21.K.Valarmathi

22.B.Padmalatha

.. Respondents/Respondents

Prayer in C.M.P(MD).No.6143 of 2020: This Civil Miscellaneous Petition filed under Section 5 of Limitation Act, to condone the delay of 1098 days in filing the above Review Application.

Prayer in Review Application(MD).No.41379 of 2020:- This Review Application filed under Section 114 of Cr.P.C r/w order 47 Rule 1 of C.P.C, to review the judgment and decree of this Court dated 18.09.2017 made in S.A.No.258 of 2001 and set aside the judgment and decree dated 11.12.2000 made in A.S.No.38 of 1998 on the file of the Additional Subordinate Court, Dindigul, reversing the judgment and decree dated 20.02.1995 made in O.S.No.1472 of 1986 on the file of the Additional District Munsif Court, Dindigul and to dismiss the suit with costs.

For Petitioner : Mr.A.Arumugam
for Ajmal Associates

For Respondents : Mr.R.Jameel Arasu
for R1
R2 to R22-Given up(Vide EB)

ORDER

This petition has been filed to condone the delay of 1098 days in filing the above Review Application.

2. This Court, by judgment, dated 18.09.2017, dismissed the Second Appeal in S.A.No.258 of 2001. Aggrieved over the said dismissal judgment, the petitioner has filed the Special Leave Petition before the Hon'ble Supreme Court in S.L.P.No.5546 of 2018 and the same was also dismissed on 09.03.2018 and also confirmed the judgment and decree passed in S.A.No.258 of 2001, dated 18.09.2017.



3. Heard both sides and perused the material available on record.

4. A perusal of records shows that the respondent herein has filed a writ petition in W.P(MD).No.18268 of 2019 directing the revenue authority to issue separate patta in his favour. The observation made in the writ petition that the plaintiff in the suit has got the patta in S.No.135/3 instead of S.No.135/C.

5. Considering the fact that the Hon'ble Supreme has dismissed S.L.P.No.5546 of 2018 on 09.03.2018 and the petitioner has not given any sufficient reason to condone the delay of 1098 days in filing the above Review Application, this Court is not inclined to entertain this Civil Miscellaneous Petition. If the petitioner herein is aggrieved by the revenue proceedings in respect of patta or in respect of order passed in the special jurisdiction or writ jurisdiction of this Court, it is always open to the petitioner to seek relevant remedy before the concerned Court by filing appropriate application.

6. In view of the said liberty, this Civil Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (A.D.II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Tta

TO:

1.The Additional Subordinate Judge,
Dindigul,

2.The Additional District Munsif,
Dindigul

+1 CC to M/s.AJMAL ASSOCIATES, Advocate (SR-14476[F] dated 25/03/2022)

+1 CC to M/s.B.JAMEEL ARASU, Advocate (SR-14799[F] dated 28/03/2022)

C.M.P(MD) .No.6143 of 2020 in
REV. APLC(MD) .No. SR 41379 of 2020

24.03.2022

_RD(25.04.2022) 3P 5C