



Rev.Appln.No.5 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.04.2023

CORAM

THE HONOURABLE MR. JUSTICE KRISHNAN RAMASAMY

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- 1.K.M.Ramanathan
- 2.R.Rangaswamy
- 3.S.Sambandamurthy
- 4.P.Durairaj
- 5.G.Arjunan
- 6.P.Rajendran
- 7.N.Kandaswamy
- 8.P.Subramanian
- 9.M.Ayyswamy
- 10.P.Muthuvel
- 11.G.Mangaiyarkarasi
- 12.Amitha
- 13.Minor Nithila
- 14.G.Dhanalakshmi
- 15.B.Shanmugavadivu
- 16.M.Padmavathi
- 17.G.Senthilkumar
- 18.Noorjahan
- 19.Mohamed Nassar
- 20.Ilahinnissa
- 21.Mohamed Abdoul Khader
- 22.D.Dhanapalan
- 23.Jayanthi
- 24.Indira

... Applicants

Vs.

- 1.Smt.Palaniammal
- 2.Smt.Lakshmiammal



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3.Smt.Palaniammal

4.R.Balasubramanian

5.Smt.R.Rajeswari

6.S.Arumugam

7.Smt.Subathra

8.Smt.Parvathi

9.S.Rajendran

10.Balakrishnan

11.Smt.Vijayalakshmi

12.M.Manokaran

13.M.Ramalingam

14.P.Subash

15.R.Banu Rajendran

16.M.Lalitha

17.R.Manikandan

18.Meenakshi

19.E.Tamilarasi

20.K.Sivasankari

21.R.E.Saravanan

... Respondents

PRAYER : Review Application is filed under Section 114 read with Order XLVII Rule 1 of CPC to review the operative portion of the judgment and decree of this Court dated 20.04.2021 made in S.A.No.512 of 2017.

For Applicants : Mr.K.Doraisami
Senior Counsel
for Mr.A.Muthumani

For Respondents : Mr.A.Ramkumar [RR17 & 18]
Mr.R.Shanmugam[RR2 to 5,7, 8and 11]



ORDER

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This Review Application has been filed seeking to review the operative portion of the judgment and decree of this Court made in S.A.No.512 of 2017 dated 20.04.2021.

2. Though the prayer sought for herein is for review the operative portion of the judgment and decree made in S.A.No.512 of 2017, the learned Senior Counsel appearing for the applicants restricted the prayer to correct the typographical error.

3. Learned Senior Counsel appearing for the applicants would submit that a typographical error has occurred in paragraph No.61(ii) in the judgment and decree made in S.A.No.512 of 2017 dated 20.04.2021.

4. This Court in S.A.No.512 of 2017 in paragraph No.59.2 has observed as follows:

“59.2. With regard to the allotment to the portion of B and D are concerned, the judgment and decree passed by the Trial Court shall stand unaltered. While allotting the portion marked as “A”, coloured in “Red” to Mrs.Palaniammal, this Court



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makes it clear that whatever portions constructed in that area by the deceased first defendant will go to Mrs.Palaniammal. As far as two sheds, constructed by Mrs.Palaniammal in the portion, marked as “C”, coloured in “Green” it will go to the deceased first defendant.”

5. In view of the above observations made in paragraph No.59.2, the learned Senior Counsel appearing for the applicants submits that the operative portion in paragraph No. 61(ii), in the second line, instead of “A” coloured in “Red” it has been wrongly stated as “C” coloured in “Green”. Further in the same paragraph i.e., paragraph No.61 (ii), in the fifth line instead of “C” coloured in “ Green” it has been wrongly stated as “A” coloured in “ Red”.

7. Accordingly, the paragraph No.61(ii) shall be read as follows:

“(ii) The portion marked as “A” coloured in “Red” in Ex.C.2 Advocate Commissioner Reports Plan, would be allotted to Mrs.Palaniammal instead of portion marked as “C” coloured in “Green” in the Plan as allotted by the Advocate Commissioner and subsequently confirmed by the Trial Court as well as the First Appellate Court.”



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Hence, this review application is disposed of. No costs.

25.04.2023

mp

Index: Yes/No

Speaking Order: Yes/No

Note: *Registry is directed to issue a corrected order copy to the parties.*

Issue order copy on 04.05.2023.



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KRISHNAN RAMASAMY. J.,
mp

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