



W.M.P.No.22433 of 2018
in
Rev.Applw.No.SR75964 of 2018

S.M.SUBRAMANIAM, J.

Undoubtedly the delay in filing the Review Petition is enormous and ordinarily, this Court will not condone such long delay. However, when public interest is involved in a matter where the Court's interference is required, the delay should not defeat justice since in the present case, vast extent of the Government land is directed to be assigned in favour of the petitioner, who was a Government servant and now receiving pension. Therefore, delay in the present case should not defeat the justice and the subject land assigned in favour of the Government servant by the Government is high value property and the extent of land assigned was about 5 acres.

2. The learned Additional Advocate General appearing on behalf of the respondent has brought to the notice of this Court that the Government orders, which all are relevant were not presented at the time of arguing the Writ Petition before this Court and relied on certain directions of the Government in the matter of assignment of land to the eligible persons under the revenue standing orders.



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3. The learned counsel for the petitioner raised an objection by stating that all issues were adjudicated by this Court and therefore, the review is to be rejected. Such contentions are to be considered when the Review Petition has been taken up for hearing. However, the findings made by this Court in para 10 reveals that the case was not represented satisfactorily before this Court by the Government Pleaders of that time.

4. Considering the overall facts and the grounds raised by the review petitioner / State of Tamil Nadu in the Review Petition, the delay is to be condoned and the matter is to be heard on merits.

5. The review petitioner / State of Tamil Nadu is directed to file all the relevant documents and serve a copy to the learned counsel appearing on behalf of the respondent in the present Review Petition in advance.

6. In view of the facts and circumstances, the delay of 1811 days in filing the application for Review of the order dated 08.07.2013 in W.P.No.21357 of 2011 stands condoned and the Miscellaneous Petition in W.M.P.No.22433 of 2018 stands ordered.



7. Registry is directed to number the Review Petition and list the matter for hearing on 22.09.2023.

14.09.2023

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Note: *Registry is directed to number the Review Petition and list the matter on 22.09.2023*



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