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WMP.No.24588 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.09.2023

CORAM :

THE HONOURABLE MR. JUSTICE **M. DHANDAPANI**

WMP.No.24588 of 2023
in
Rev.Aplw.SR.No.107500 of 2023

The Tahsildar,
Madhavaram Taluk Office,
Madhavaram, Chennai.

...Petitioner

Vs.

1. Tamilselvi.R
2. Malathi.R
3. Priya.R
4. Nagarajan.R
...Respondents

Prayer in WMP.No.24588 of 2023: Writ Miscellaneous Petition filed under Article 226 of the Constitution of India to condone the delay of 391 days in filing the above review petition against the order dated 22.06.2022 made in W.P.No.14287 of 2022.

Prayer in Rev.Aplw.SR.No:107500 of 2023: Review Application filed under Order 47 Rule 1 of C.P.C. r/w Section 114 of C.P.C. to reconsider and review the order dated 22.06.2022 made in W.P.No.14287 of 2022.

For Petitioner : Mr.Azizullakhan, GA

For Respondents : Mr.B.Goindaprabu



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ORDER

The petitioner has come up with this Writ Miscellaneous Petition seeking to condone the delay of 391 days in filing the review application in Rev.Aplw.SR.No.107500 of 2023 to review the order of this Court dated 22.06.2022 made in W.P.No.14287 of 2022.

2. Learned counsel for the respondents submitted that, the respondents herein have filed the Writ petition in W.P.No.14287 of 2022, seeking direction to the petitioner herein to issue Joint patta in their favour in respect of the subject property on the basis of their representation dated 05.10.2021, since, the entire land acquisition proceedings initiated as against the subject property have been quashed by the Hon'ble Apex Court. This Court, vide order dated 22.06.2022, directed the respondents herein to return the compensation amount of Rs.7,02,314/- along with interest at 6% per annum from 15.06.2005 till the date of payment and upon receipt of the said payment, the petitioner herein shall mutate the revenue records in respect of the subject property to the name of the respondents. Accordingly, the respondents have paid the entire compensation amount to the District Collector, Thiruvallur, despite which, the petitioner has not mutated the revenue records in respect of



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the subject property in favour of the respondents. Hence, he prayed for appropriate orders.

3. Though the petitioner has come up with this Miscellaneous petition seeking to condone the delay in filing the Review application, however, the petitioner has not disclosed any reasons in the affidavit, for the delay in filing the Review application and though the respondents, pursuant to the order of this Court, have paid the entire compensation, till date, the petitioner has not mutated the revenue records in respect of the subject property to the name of the respondents. Further, review applications can be entertained only on the ground of error apparent on the face of records or clerical error.

4. Hence, this Court is of the view that, the prayer sought for by the petitioner in the present Miscellaneous petition cannot be acceded to and accordingly, this Writ Miscellaneous Petition stands dismissed. Consequently, the Review Application is closed at the SR stage itself. No costs.

11.09.2023

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Index : Yes/No
Speaking order : Yes/No
NCC : Yes/No

M.DHANDAPANI., J.



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