



W.M.P.(MD)No.13813 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.10.2023

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
AND
THE HONOURABLE MR.JUSTICE B.PUGALENDHI**

W.M.P.(MD)No.13813 of 2023
in
Rev.Apl.W.(MD)No.SR41845 of 2023
in
W.P.(MD)No.26946 of 2022

- 1.P.Mahadevi
- 2.K.Kaliyammal
- 3.Periyasamy
- 4.Santhi
- 5.M.Prema
- 6.K.Vijaya
- 7.R.Sanmugavalli
- 8.R.Kottaiyammal
- 9.R.Backyalakshmi
- 10.M.Rani
- 11.Paritha Beevi
- 12.Selvamary



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13.Fathima

14.M.Mohamed Naina

15.N.Ramachandran

16.R.Leelavathi

17.K.Muthurakku

18.K.Umarani

19.Salavudeen Badhusha

20.Annapooranam

21.Pitchaimmal

... Petitioners

Vs

1.I.Kalanthar Ashik Ahamed

2.The District Collector,
Office of the District Collector,
Ramanathapuram District.

3.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Thiruvadanai Taluk,
Ramanathapuram District.

4.The Thasildar,
Thiruvadanai Taluk,
Ramanathapuram District.

5.The Block Development Officer,
Thondi Union Office,
Thiruvadanai Taluk,
Ramanathapuram District.



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6.The Executive Officer,
Thondi Panchayat,
Thiruvadanai Taluk,
Ramanathapuram District.

7.J.Saigul Akbar

8.Sajitha Parveen

... Respondents

Prayer in W.M.P.(MD)No.13813 of 2023: Writ Miscellaneous Petition is filed under Article 226 of Constitution of India, to grant leave to file the above review as against the order dated 11.04.2023 made in WP(MD).No.26946 of 2022 pending disposal of the above Review Petition.

Prayer in Rev.APL.W.(MD)No.SR41845 of 2023: Review Application is filed under Order XLVII, Rules 1 and 2 of the Civil Procedure Code r/w. Section 114 of C.P.C, to review the order dated 11.04.2023 in W.P.(MD)No.26946 of 2022.

For Petitioners : Ms.H.Jasima Yasmin,
For M/s.Ajmal Associates.

For Respondents : Mr.R.Baskaran,
Addl. Advocate General,
Assisted by Mr.K.Balasubramani,
Spl. Government Pleader for R2 to R6.



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ORDER

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Heard the learned counsel for the petitioners and the learned Special Government Pleader for the official respondents.

2.The petitioners seek leave to review the order dated 11.04.2023 passed by us in W.P.(MD)No.26946 of 2022. Paragraph No.5 of the said order reads as follows:-

“5. We direct the official respondents to take effective follow up measures. Of-course, the official respondents will comply with the principles of natural justice and keep in mind due process of law while implementing the decision to remove the encroachment. We also direct the first respondent to revisit the issue of reclassification and issuance of patta made in the year 2000. Notices shall be issued to the persons concerned. If it is found out that ineligible persons have been issued with patta, the same shall be cancelled after following due process of law. The endeavour of the official respondents should be to restore the original character of the Salaikulam whose extent was 1.76.5 hectares. The removal of encroachment of the persons already mentioned in the status report will be carried out within a period of sixteen weeks from the date of receipt of a copy of this order. The jurisdictional Sub-Registrar of the



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Registration Department shall not register any transaction pertaining to Survey No.88/3, Thondi Village. The first respondent is directed to communicate this direction to the jurisdictional Sub Registrar.“

3.We are of the view that no case for review of the said order has been made out. If the petitioners feel aggrieved, it is always open to the petitioners herein to file an independent writ petition and their case will be considered on its own merits.

4.With this liberty to the petitioners, this miscellaneous petition is dismissed. Consequently, the review application is also dismissed at the SR stage itself. No costs.

**(G.R.S.J.) & (B.P.J.)
19.10.2023**

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
ias



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**G.R.SWAMINATHAN, J.
and
B.PUGALENDHI, J.**

ias

To:-

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- 3.The Thasildar,
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Thondi Union Office,
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- 5.The Executive Officer,
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