



WEB COPY



Review Application No.136 of 2012

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.07.2024

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

Review Application No.136 of 2012

and

M.P.Nos.1 & 2 of 2012

against

W.A.No.2275 of 2011

1.R.Saraswathi

2.Gowriamma

3.R.Selvaraj

4.S.Parvathi

... Applicants

Vs.

1.The Special Commissioner & Commissioner Land Reforms,
Commissioner, Land Reforms,
Chepauk,
Chennai – 600 005.

2.The Assistant Commissioner,
Urban Land Ceiling,
Coimbatore.



Review Application No.136 of 2012

3.The Tahsildar,
Coimbatore South,
Coimbatore.

... Respondents

Prayer: Review Application filed under Order XLVII Rule 1 read with Section 114 of Civil Procedure Code, to review the order dated 15.03.2012 made in W.A.No.2275 of 2011.

For Applicants : Mr.P.Saravana Sowmiyan

For Respondents : Mr.D.Gopal
Government Advocate

ORDER

[Order of the Court was made by **S.M.SUBRAMANIAM, J.**]

The main ground raised in the review application is that the Court has considered that the review applicants were in possession of the subject property, which was taken over by the Government under the Tamil Nadu Urban Land (Ceiling and Regulations) Act, 1978.

2. The grounds raised on merits cannot be adjudicated in a review application. The findings of this Court in the order sought to be reviewed



reveals that from the year 1999, the review applicants have not initiated any appropriate action. The writ petition was filed in the year 2005 for the purpose of including their names in the revenue records. This Court has made an observation that due to skyrocketing of market price of lands in and around Coimbatore City, attempts have been made by few persons to reopen the closed issues.

3. There is a clear finding by this Court that “the appellants have filed the writ petition about six years after the possession was taken over by the Government. In any case, there was no proceedings pending before the statutory authority as on the date on which the Repeal Act has come into force”.

4. Since this Court considered all the facts on merits and made findings, the grounds raised in the present review application on merits cannot be re-adjudicated. Since the petitioner has not made out any error apparent on record warranting interference under Review Jurisdiction, we are not inclined to entertain.



Review Application No.136 of 2012

5. Accordingly, the Review Application stands dismissed. No costs.

Consequently, connected Miscellaneous Petitions are closed.

[S.M.S., J.] [C.K., J.]
12.07.2024

Jeni

Index : Yes

Neutral Citation : Yes

Speaking order / Non-speaking order

To

1.The Special Commissioner & Commissioner Land Reforms,
Commissioner, Land Reforms,
Chepauk,
Chennai – 600 005.

2.The Assistant Commissioner,
Urban Land Ceiling,
Coimbatore.

3.The Tahsildar,
Coimbatore South,
Coimbatore.



WEB COPY



Review Application No.136 of 2012

S.M.SUBRAMANIAM, J.
and
C.KUMARAPPAN, J.

Jeni

Review Application No.136 of 2012

12.07.2024