



Rev.Appl.No.195 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.12.2024

CORAM :

THE HONOURABLE MR. JUSTICE S.S. SUNDAR

AND

THE HONOURABLE MR. JUSTICE N. SENTHILKUMAR

Rev.Appl. (Writ) No.195 of 2024

and

W.M.P.No.34903 of 2024

Ashwin Varma

... Petitioner

Vs.

1.N.S.Raveendran

2.State of Tamil Nadu,
Represented by its Chief Secretary,
(Housing and Urban Development Department),
Fort St. George, Chennai – 600 009.

3.Chennai Metropolitan Development Authority,
Represented by its Member Secretary,
Thalamuthu Natarajan Maaligai,
No.1, Gandhi Irwin Road,
Egmore, Chennai – 600 008.



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4.CMDA Enforcement Cell, South-I,
O/o.Chennai Metropolitan Development Authority,
Thalamuthu Natarajan Maaligai,
No.1, Gandhi Irwin Road,
Egmore, Chennai – 600 008.

5.The Commissioner/Additional Chief Secretary,
Greater Chennai Corporation,
Ripon Building,
Chennai – 600 003.

... Respondents

Prayer : Review Application filed under Order 47 Rule 1 read with Section 114 of Code of Civil Procedure to review the order dated 17.04.2024 made in W.P.No.10607 of 2024 on the file of this Court.

For Petitioner	:	M/s.Ramya Murali Kumaran
For R1	:	Mr.A.Raj Prince
For R2	:	Mr.P.Balathandayutham Special Government Pleader
For R3 and R4	:	Mr.R.Sivakumar Standing Counsel
For R5	:	Mr.D.B.R.Prabhu Standing Counsel



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ORDER

(Order of the Court was made by **S.S. SUNDAR, J.**)

This Review Application is directed against the order of this Court dated 17.04.2024 made in W.P.No.10607 of 2024.

2.This Court disposed of the writ petition by order dated 17.04.2024 directing the Government/1st respondent therein to dispose of the statutory revision stated to have been filed by the writ petitioner before the Government under Section 80-A of the Tamil Nadu Town and Country Planning Act, 1971, on merits and in accordance with law. It is also reported that the Government has now passed an order dated 21.11.2024 in tune with the orders of this Court. However, the learned counsel appearing for the review petitioner, who is the 5th respondent in the writ petition, submits that this Court has disposed of the writ petition on 17.04.2024 without considering the earlier order passed by this Court between the same parties in a writ petition in W.P.No.23700 of 2023, dated 08.03.2024.

3.On a perusal of the order in W.P.No.23700 of 2023 dated 08.03.2024, it is seen that the order passed by this Court on 17.04.2024 is



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quite contrary to the earlier order passed by this Court in W.P.No.23700 of 2023 on 08.03.2024. Since the review petitioner was not heard and this Court has not considered the earlier order passed by this Court in W.P.No.23700 of 2023 dated 08.03.2024, this Court finds that the Review Application has to be allowed.

4.Accordingly, this Review Application is allowed and the order of this Court dated 17.04.2024 made in W.P.No.10607 of 2024 is recalled. The writ petition is restored to pass orders afresh after hearing the parties. No costs. Consequently, connected miscellaneous petition is closed.

5.Post the writ petition in W.P.No.10607 of 2024 after two weeks under the caption “for orders”. Learned counsel appearing for the review petitioner is requested not to press the contempt proceedings in Cont.P.No1660 of 2024.

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(S.S.S.R., J.) (N.S., J.)
04.12.2024

Internet : Yes
Index : Yes / No
Neutral citation : Yes / No



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To

WEB COPY

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and
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