



Rev.Aplw.No.210 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.03.2024

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Rev.Aplw.No.210 of 2023

Murugesan

.. Petitioner

Vs.

1. M.Paneerselvam
2. The Home Secretary
Secretariat, Fort St. George
Chennai.
3. The Commissioner
Prohibition and Excise
Chepauk, Chennai.
4. The District Collector
O/o. The District Collector
Trichy District, Trichy.
5. The Tahsildar
O/o. Tahsildar Office
Thuraiyur Taluk
Trichy District, Trichy.
6. The Block Development Officer
Thuraiyur Block, Trichy District.



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7. The Manager

O/o. District TASMAL Office
Old Building, 1st Floor
DRO Room, Trichy.

.. Respondents

Prayer: Petition filed under Order XLVII Rule 1 and Section 114 of the Code of Civil Procedure, 1908 seeking review of the order dated 16.03.2023 in W.P.No.7922 of 2023.

For the Petitioner : Mr.S.Syed Mustafa
for Mr.K.P.Jotheeswaran

For the Respondents : Mr.D.Ashok Kumar
for R1

Mr.C.Kathiravan
Special Government Pleader
for R2 to R6

ORDER

(Made by the Hon'ble Chief Justice)

Heard Mr.S.Syed Mustafa, learned counsel appearing for Mr.K.P.Jotheeswaran, learned counsel for the petitioner, Mr.D.Ashok Kumar, learned counsel for respondent 1 and Mr.C.Kathiravan, learned Special Government Pleader for respondents 2 to 6.

2. The contention of the review applicant is that without issuing notice to him in the writ petition, the impugned order has been passed. The land in question is not an agricultural land. It is a tharisu



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land.
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3. Learned counsel for the first respondent submits that the land in question is an agricultural land. The said aspect was considered and the order under review was passed.

4. It is not disputed by any of the parties that the order under review was passed without issuing notice to the present applicant, who was respondent 7 in the writ petition. Whether the land is an agricultural land or otherwise will have to be decided after considering the case put forth by the present applicant and the original writ petitioner.

5. In the light of that, the order under review is set aside and recalled and the writ petition is restored to its original position. The review application, accordingly, stands allowed. There shall be no order as to costs.

(S.V.G., CJ.)

(D.B.C., J.)

21.03.2024

Index : Yes/No
Neutral Citation : Yes/No



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THE HON'BLE CHIEF JUSTICE
AND
D.BHARATHA CHAKRAVARTHY, J.

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