



W.A.No.3547 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.12.2024

CORAM :

THE HONOURABLE MR. JUSTICE S.S. SUNDAR

AND

THE HONOURABLE MR. JUSTICE P. DHANABAL

W.A.No.3547 of 2024

and

C.M.P.No.27478 of 2024

Chairman & Managing Director
Tamil Nadu Slum Clearance Board,
Triplicane, Chennai.

... Appellant

Vs.

1.S.Anbalagan
2.A.S.Subramanian
3.K.Kannan
4.Pathimuthu
5.Sajitha Parveen
6.The Secretary to Government of Tamil Nadu,
Housing & Urban Development Department,
Government of Tamil Nadu,
Fort St. George, Chennai.

... Respondents

Prayer:- Writ Appeal filed under Clause 15 of the Letters Patent against the order dated 15.07.2024 in W.M.P.No.18985 of 2024 in Review Application (Writ) SR No.136012 of 2023 on the file of this Court.



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For Appellant : M/s.G.Thilagavathy
Senior Counsel
for Mr.Balaji B.

For R6 : Mr.S.John J. Raja Singh
Additional Government Pleader

J U D G M E N T

(Judgment was delivered by **S.S. SUNDAR, J.**)

This Writ Appeal is directed against the order of this Court dated 15.07.2024 made in W.M.P.No.18985 of 2024 in Review Application (Writ) SR No.136012 of 2023.

2.The order impugned in this Appeal is an order dismissing the application to condone the delay in filing a Review Application as against the order made in the writ petition in W.P.No.7889 of 2023. It is now reported that the appellant has filed an appeal as against the order passed in the main writ petition in W.P.No.7889 of 2023. When a regular appeal itself is filed by the appellant as against the order in the main writ petition, the petitioner need not prosecute simultaneously a Review Application as against the order in the writ petition. It is seen from the grounds of review



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that all the grounds can be canvassed in the appeal. Since the scope of review is limited to the grounds available under Order 47 Rule 1 of Code of Civil Procedure, it will be in the interest of justice to permit the appellant to prosecute the regular appeal. Therefore, giving liberty to the appellant to prosecute the appeal filed as against the order in the writ petition and giving liberty to pray for exclusion of time taken for prosecuting the Review Application for the purpose of condoning the delay in filing the Appeal, this Writ Appeal is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

(S.S.S.R., J.) (P.D.B., J.)
09.12.2024

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Internet : Yes

Index : Yes / No

Neutral Citation : Yes / No

To

The Secretary to Government of Tamil Nadu,
Housing & Urban Development Department,
Government of Tamil Nadu,
Fort St. George, Chennai – 600 009.

S.S. SUNDAR, J.



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P. DHANABAL, J.

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