



Rev.Applc.(MD).No.45 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

RESERVED ON : 06.03.2024

PRONOUNCED ON : 25.03.2024

CORAM:

**THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR**  
**and**  
**THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

Rev.Application(MD).No.45 of 2024  
in  
W.P(MD).No.2439 of 2024

1.S.K.Subadhra

2.R.Majula Devi

3.V.Suganya

...Petitioners/Petitioners

Vs

1.The District Collector  
Tirunelveli District  
Tirunelveli

2.The District Revenue Officer  
Tirunelveli

3.The Tahsildhar  
Ambasamudram Taluk  
Tirunelveli District

4.The Commissioner  
Ambasamudram Municipality  
Tirunelveli District

....Respondents/Respondents



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**Prayer:** Review Application is filed under Order 47 Rule 1 of C.P.C r/w under Article 226 of the Constitution of India to review the order of this Court dated 14.02.2024 passed in W.P(MD).No.2439 of 2024 and allow the petition.

|                 |                                                                                                           |
|-----------------|-----------------------------------------------------------------------------------------------------------|
| For Petitioners | : Mr.R.Suriya Narayanan                                                                                   |
| For R1 to R3    | : Mr.P.Thilak Kumar<br>Government Pleader                                                                 |
| For R4          | :Mr.Veera.Kathiravan<br>Additional Advocate General<br>Assisted by Mr.S.Packiya Muthu<br>Standing Counsel |

### **J U D G M E N T**

(Made by **R.VIJAYAKUMAR,J.**)

The instant review application has been filed seeking to review the order of this Court dated 14.02.2024 made in W.P(MD).No.2439 of 2024 .

2.The petitioners had filed the above writ petition to forbear the Revenue and Municipal Officials from in any way evicting the petitioners from Old Survey No.370A/1 Part, New Survey No.370/10 on the basis of incorrect entry as poramboke in the revenue records.

3.The writ petitioners had approached the District Revenue Officer, Tirunelveli on 13.08.2020 to rectify the error in the revenue records contending that it is a private patta land. However, the said authority had



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rejected the said request on 21.03.2018 with an observation that the property is a Government poramboke land. This order was not challenged by the petitioners. Relying upon the said order of District Revenue Officer, this Court had dismissed the writ petition on 14.02.2024.

4.The present Review Application has been filed on the ground that a civil suit has been filed in O.S.No.51 of 2024 on the file of the Additional District Court, Tirunelveli for the relief of declaration of title and permanent injunction as against the revenue and municipal officials. This could not be brought to the notice of the Court at the time of hearing of the writ petition. The petitioners had further contended that the order of the District Revenue Officer dated 21.03.2018 is not an appealable order and therefore, they have not chosen to challenge the same. Hence, the petitioners had sought to review the order passed by this Court.

5.We have carefully considered the submissions made on the side of the review applicant and perused the material records.

6.The petitioners' request for re-classification of the land in dispute, as a private patta land has been rejected by the competent authority on 21.03.2018 which the petitioners had not chosen to challenge. Once the petitioners admit that it is a poramboke land, the prayer in the writ petition forbearing the respondents from evicting him from the said land cannot be granted. The petitioners had chosen to number the civil suit after disposal of



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the writ petition. The other grounds raised in the review application are on the merits of the order and therefore, they will not fall within the scope of the review application.

7.The petitioners are at liberty to workout their remedies before the Civil Court. There are no merits in the Review Application and the same stands dismissed. No costs.

**(D.K.K.J.,)**

**(R.V.J.,)**

**25.03.2024**

Index :Yes/No  
Internet :Yes/No  
NCC : Yes/No  
msa



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To

WEB COPY

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**D.KRISHNAKUMAR, J.  
AND  
R.VIJAYAKUMAR,J.**

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Pre-delivery Judgment made in  
Rev.Application(MD).No.45 of 2024  
in  
W.P(MD).No.2439 of 2024

**25.03.2024**