



**REV.AP.W(MD)No.85 of 2021**

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 19.11.2024**

**CORAM :**

**THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH**

**REV.APL WRIT.(MD).No.85 of 2021**

**IN**

**W.P.(MD).No.16510 of 2014**

V.Jeganathan

... Review Petitioner / Sixth Respondent

Vs.

1.K.Bose

2.The District Collector,  
Ramanathapuram District.

3.The Commissioner,  
Pogalur Panchayat Union,  
Paramakudi (Taluk),  
Ramnad District.

4.The Executive Officer,  
Pogalur Panchayat Union,  
Paramakudi Taluk,  
Ramanathapuram District.

5.The President,  
Pogalur Panchayat Union,  
Paramakudi Taluk,  
Ramanathapuram District.

... Respondents 2 to 5 /  
Respondents 1 to 4

**Prayer:** Appeal filed under Order 47 Rule 1 and 2 of C.P.C. r/w. U/S.114  
of Civil Procedure Code to review and reconsider the order dated



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20.04.2021 made in W.P.(MD).No.16510 of 2014 on the file of this Court and to set aside the same.

|                |                                                         |
|----------------|---------------------------------------------------------|
| For Petitioner | : Mr.Jeyakarthik                                        |
| For R-1        | : No Appearance                                         |
| For R-2 to R-4 | : Mr.M.Muthumanikkam,<br>Government Advocate<br>(Civil) |
| For R-5        | : Mr.A.K.Manikkam                                       |

### ORDER

This Review Application has been filed to review the order passed in W.P.(MD).No.16510 of 2014 dated 20.04.2021.

2. Heard the learned counsel appearing for the petitioner, the learned Government Advocate (Civil) appearing for respondent Nos.2 to 4 and Mr.A.K.Manikkam, learned counsel appearing for the fifth respondent.

3. The Review Application has been filed mainly on the ground that the attention of this Court was not drawn to the decree that was passed in favour of the petitioner and others in O.S.No.133 of 2005 by the judgment and decree dated 08.07.2009 by the District Munsif Court,



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Paramakudi. The petitioner has taken a stand that what was granted in favour of the petitioner and others by the competent Civil Court, is now being sought to be taken away by obtaining an order in the Writ Petition without bringing to the notice of this Court the judgment and decree that was passed by the competent Civil Court.

4. Considering the submissions made on either side and also the materials available on record, the order passed in the Writ Petition suffers from an error apparent on the face of the order, since the Court did not take into consideration the judgment and decree passed in O.S.No.133 of 2005, dated 08.07.2009, by the learned District Munsif, Paramakudi, which also touched upon the pathway dispute. Accordingly, the order passed in the Writ Petition dated 20.04.2021 is hereby withdrawn and this Review Application is accordingly allowed.

5. Registry is directed to post W.P.(MD).No.16510 of 2024 before the concerned portfolio Judge for final hearing. No costs.

**19.11.2024**

Internet : Yes/No  
Index : Yes/No  
NCC : Yes/No  
TSG



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To

- 1.The District Collector,  
Ramanathapuram District.
- 2.The Commissioner,  
Pogalur Panchayat Union,  
Paramakudi (Taluk),  
Ramnad District.
- 3.The Executive Officer,  
Pogalur Panchayat Union,  
Paramakudi Taluk,  
Ramanathapuram District.
- 4.The President,  
Pogalur Panchayat Union,  
Paramakudi Taluk,  
Ramanathapuram District.
- 5.The Record Keeper,  
Vernacular Section,  
Madurai Bench of Madras High Court,  
Madurai.



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**N.ANAND VENKATESH, J.**

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**19.11.2024**