



Rev.aplw.(MD).No.259 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 26.11.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

Rev.Apl.W.(MD)No.259 of 2023

and

W.P.(MD) No.21204 of 2014

P.Nagarajan

... Petitioner/7th respondent

Vs.

1. A.Venkatachalam (died)

... 1st Respondent/Writ Petitioner

2. V.Vasantha

3. Madheswaran

4. V.Mahendran

5. The District Collector,
Trichirappalli District,
Trichirappalli.

6. The District Revenue Officer,
Office of the District Revenue Officer,
Trichirappalli,
Trichirappalli District.

7. The Revenue Divisional Officer,
Musiri,
Trichirappalli District.



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8. The Tahsidlar,
Musiri Taluk,
Trichirappalli District.

9. The Village Administrative Officer,
Vengaimandalam Village,
Moovanur Post,
Musiri Taluk,
Trichirappalli District.

10. The Sub Inspector of Police,
Pullivallam Police Station,
Trichirappalli District.

... Respondents 2 to 10/
Respondents

PRAYER: Review Petition filed under Order 47 Rule 1 and 2 r/w 114 of C.P.C., praying this Court to review the order passed in W.P(MD) No.21204 of 2014, dated 11.08.2022 by this Court and dismiss the writ petition.

For Petitioner	: Mr.S.Karthick
For R2 to R4	: Mr.D.Shanmugaraja Sethupathy
For R5 to R10	: Mr.A.Baskaran Additional Government Pleader

ORDER

The present Review Application has been filed by the seventh respondent in the writ petition seeking to review the order passed by this Court, on 11.08.2022.



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2. A perusal of the order of this Court reveals that the petitioner therein had sought for a Mandamus to consider his representation dated 10.12.2014 and to forbear the official respondents from interfering with the peaceful possession and enjoyment on the ground that it is a patta land.

3. This Court, after considering the submission made on the side of the petitioner, the official respondents and the seventh respondent in the writ petition, found that the survey numbers are the private patta lands and if the seventh respondent claims any right of pathway over the said lands, it is for him to workout his remedy before the competent Civil Court.

4. Now, the present Review Application has been filed by the seventh respondent contending that those survey numbers are not private patta lands but they have been shown as Nilavial Pathway in the revenue records. In such circumstances, this Court is of the considered opinion that in the writ petition, such a ground was not raised and therefore, the new submission cannot be made by filing a Review Application by a different counsel.



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5. In such circumstances, this Court does not find any error apparent on the face of the record warranting interference by this Court under Order 47 Rule 1 and 2 of C.P.C. However, this order will not preclude the petitioner from raising the said issue before a competent civil Court.

6. In such circumstances, there are no merits in the Review Application. Accordingly, this Review Application stands dismissed. There shall be no order as to costs.

26.11.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
ebsi

To

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Trichirappalli.
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Trichirappalli,
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3. The Revenue Divisional Officer,
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4. The Tahsidlar,
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R.VIJAYAKUMAR,J.

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