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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.09.2025

CORAM

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

AND

THE HONOURABLE DR.JUSTICE R.N.MANJULA

Rev.Appl.Nos.135 & 136 of 2023 and
C.M.P.Nos.16222, 16257 & 16258 of 2023

Rev.Appl.No.135 of 2023

1. The District Collector,
Kancheepuram District
Kancheepuram - 631 501.
2. The Tahsildar,
Thiruporur.
3. The Commissioner,
Land Administration,
Chepauk, Chennai - 600 005.

... Applicants/ Appellants

Vs.

Mrs. Hema Anandhan,
W/o.Mr.Anandhan
No.360/A, Thiruvanjiam Apartments,
1st Main Road, Second Cross Street,
Natesan Nagar, Virugambakkam,
Chennai - 600 092.

... Respondent/Respondent



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Rev.Appl.No.136 of 2023

1. The District Collector,
Kancheepuram District,
Kancheepuram - 631 501.

2. The Tahsildar,
Thiruporur.

... Applicants / Appellants

Vs.

Mrs. Hema Anandhan,
W/o.Mr.Anandhan
No.360/A, Thiruvanjiam Apartments,
1st Main Road, Second Cross Street,
Natesan Nagar, Virugambakkam,
Chennai - 600 092.

... Respondent / Respondent

PRAYER in both Review Applications : Review Applications filed under Order 47 Rule 1 & 2 of CPC r/w Section 114 of CPC., to review the order dated 30.06.2021 made in W.A.Nos.315 & 317 of 2021.

In both Review Applications :

For Applicants : Mr.D.Ravichander,
Special Govt. Pleader

For Respondent : Party-in-Person



COMMON ORDER

(Order of this Court was made by Dr.Justice R.N.Manjula)

These Review Applications have been filed for seeking to review the order dated 30.06.2021 made in W.A.Nos.315 and 317 of 2021 which confirmed the order made in W.P.Nos.33261 and 33262 of 2016.

2. Heard Mr.D.Ravichander, learned Special Government Pleader for the Review Applicants and the Respondent who appeared as Party-in-Person and perused the materials available on record.

3. The Writ Petitions have been filed by the respondent in both the Review Applications seeking issuance of Writ of Certiorarified Mandamus to quash the order of the first Review Applicant / District Collector in Na.Ka.28321/2015/N4 dated 10.06.2016 and Na.Ka.28320/2016/N4 dated 30.06.2016 respectively and consequently, to direct the Review Applicants to grant Patta in her favour in respect of Plot No.49 comprised in S.No.26/2 measuring 4950 Sq.ft. And Plot No.50, comprised in S.No.26/1A1A2 measuring 7000 Sq.ft respectively



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situated in Karungullipalam Village, Thiruporur Taluk, Kancheepuram District.

4. The Respondent had purchased the above said properties through registered sale deeds dated 12.04.2007, 04.01.2008 and 02.09.2009 and applied to carry out necessary changes in the land register in her name and then grant the patta in her name. The Respondent's request was not considered favourably and the First Review Applicant *vide* his orders dated 10.06.2016 and 30.06.2016 have rejected the Respondent's request. Hence, the respondent filed Writ Petitions challenging the orders of the First Review Applicant.

5. The reason for refusal as stated in the said orders is that S.No.26/2 has been classified as "Anatheenam" land and even, in the entries in the UDR register as "Anatheenam" also wrong, as it had been originally classified as "Kazhuveli" (back water) in the old 'A' Register. The learned Single Judge before whom the Writ Petitions were filed, was pleased to call for the old and new 'A' Register and on perusal of them, it



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is seen in the old 'A' Register that S.Nos.17 and 26 have been classified as "Kazhuveli", which means back water. However in the new 'A' Register, it is seen that sub divisions have been made by considering the said lands as the Ryotwari Punja. The Patta has been issued in various sub divisions in S.Nos. 17 and 26. More particularly, the vendor of the Respondent by name Ramachandran was also given with Patta in Patta No. 247.

6. So far as entry in 'A' Register as regards S.No.26 is seen as "others". As the learned Single Judge has satisfied with the entries made in the new 'A' Register and that the subject lands are considered as patta lands, the Respondent's prayers made in the Writ Petitions were considered favourably and orders have been issued by quashing the impugned orders with a consequential direction to effect mutation and issue Patta in favour of the Respondent in respect of Plot No.49 comprised in S.No.26/2 measuring 4950 Sq.ft. and Plot No.50, comprised in S.No.26/1A1A2 measuring 7000 Sq.ft respectively situated in Karungullipalam Village, Thiruporur Taluk, Kancheepuram District.



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7. While passing the order, the learned Single Judge has observed that even though in the old 'A' Register, it was shown as "Kazhuveli" which means "Poramboke Land" and it got later classified as Patta land and Pattas have been granted in favour of several private persons. When the said order of the learned Single Judge was challenged by way of preferring Writ Appeals in W.A.Nos. 315 and 317 of 2021, the Writ Appellate Court has also got convinced with the order of the learned Single Judge and dismissed the Writ Appeals. In the order of the Division Bench, it is observed that similarly placed persons have been issued with Pattas and hence, no discrimination be shown against the Respondent herein and hence, Patta should also be given in her favour.

8. Thereafter, the orders passed in the Writ Appeals were not challenged by the Review Applicants at any point of time. Contempt action has been initiated by the Respondent for non-compliance of the order passed in the Writ Appeals and after having taken several adjournments, now these Review Applications have been filed.



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9. The primary contention of the Review Petitioner is that sensitive land like "Kazhuveli" is an objectionable land and it cannot be converted into any other classification and there are no rules or statutes to do the same. It is further submitted that the Third Review Applicant has passed an order on 16.03.2021 by cancelling the Pattas granted in favour of private persons, in view of the fact that lands have been classified earlier in the year 1911 as "Government Poramboke Kazhuveli". However, the copy of the order has not been placed before the Writ Appellate Court. It is stated by the Review Applicants that they did not produce the above order because of the Covid-19 lock down. Even if the order has not been produced, the contention regarding the said order dated 16.03.2021 could have been made on 30.06.2021, when the Writ Appellate Court had heard the W.A.No.315 and 317 of 2021.

10. Any ways, the order dated 16.03.2021 is not the impugned order under challenge in the writ proceedings before the learned Single Judge which continued to be a subject matter for W.A.Nos.315 and 317



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of 2021. Both the learned Single Judge and the Division Bench in the Writ Appeals did not omit to take into consideration of the submissions of the Review Applicants that the subject land was originally classified as "Kazhuveli", but, got convinced in view of the later sub-divisions and grant of patta in favour of various third persons for nearly 50 years.

11. So far as the Respondent is concerned, she is the subsequent purchaser of two plots from one Ramachandran who held patta in Patta No.247. The respondent after having perused the documents and satisfied with the title of the vendor Ramachandran, had purchased the subject properties. Even though a direction has been given for grant of patta, in reality, it is only a mutation of revenue entries which already stood in the name of Ramachandran, the vendor of the Respondent.

12. On perusal of the review grounds, it can only be conceived that the Review Applicants are trying to re-agitate the very same contentions which have been raised before the Writ Appellate Court. Both the Writ Appellate Court and the Writ Court had taken cognizance of the fact that



the subject lands have been originally classified as "Kazhuveli", but later, pattas have been granted in favour of various third parties.

13. Rule 29 of the Writ Rules which speaks about the review would only refer to the grounds mentioned under Order XLVII Rule 1 of CPC., in order to entertain a Review Application. In this regard, it is appropriate to extract Rule 29 of Writ Rules and Order XLVII Rule 1 of CPC., as follows:

Rule 29 of Writ Rules:

"29. Review:

(1) The Court may review its orders but no petition for review will be entertained except on the grounds mentioned in Order XLVII, Rule 1 of the Code of Civil Procedure, 1908.

(2) A petition for review shall be duly supported by an affidavit and shall be filed within 30 days from the date of the order sought to be reviewed and shall clearly set out the grounds for review. However, the Court may entertain a review petition filed thereafter, for sufficient cause.



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(3) A petition for review shall be disposed of, as far as practicable, by the same Judge who delivered the order sought to be reviewed. The Court may either dismiss the petition or direct notice to the respondents.

(4) No petition to review an order made on a petition for review or on an order made in the main petition consequent to a review being allowed shall be entertained."

Order XLVII Rule 1 of CPC:

"1. Application for review of judgment :-

(1) Any person considering himself aggrieved-

(a) by a decree or Order from which an appeal is allowed, but from which no appeal has been preferred,

(b) by a decree or Order from which no appeal is allowed, or

(c) by a decision on a reference from a Court of Small Causes,



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and who, from the discovery of new and important matter or evidence which, after the exercise of due diligence was not within his knowledge or could not be produced by him at the time when the decree was passed or Order made, or on account of some mistake or error apparent on the face of the record of for any other sufficient reason, desires to obtain a review of the decree passed or Order made against him, may apply for a review of judgment to the Court which passed the decree or made the Order.

(2) A party who is not appealing from a decree on Order may apply for a review of judgment notwithstanding the pendency of an appeal by some other party except where the ground of such appeal is common to the applicant and the appellant, or when, being respondent, he can present to the Appellate Court the case on which he applies for the review."



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14. If the Review applicants intend to maintain the Review Applications, they should convince this Court that the grounds mentioned under Order XLVII Rule 1 of CPC are available to them.

15. In view of the above provisions, it is paramount on the part of the Review Applicants to show that any new important fact or evidence after exercise of due diligence is not produced or it was not within their knowledge and it has been discovered recently or atleast they should establish that there is some mistake or error apparent on the face of the record.

16. The one and only contention that has been made by the Review Applicants is that the lands classified as "Kazhuveli" can never be re-classified as any other category and hence the issuance of patta cannot be treated as legal. But, in the UDR, the very same property is said to have been classified as "Anatheenam" and "Government Poramboke". For the reasons best known, the property once classified as "Kazhuveli" has been



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re-classified as "Anatheenam" and later considered as "Ryotwari Punjai" and pattas have been issued in favour of some private persons. So far as the Respondent is concerned, she is only a subsequent purchaser from the earlier pattadar for Plot Nos. 49 and 50 by name Ramachandran by virtue of the sale deeds dated 12.04.2007, 04.01.2008 and 02.09.2009.

17. In fact, the records would show that the order of the Third Review Applicant dated 16.03.2021 cancelling the pattas of the individuals have been challenged by the private parties by way of filing various Writ Petitions. In the common order dated 21.12.2021 passed in a batch of writ petitions in WP No.16419 of 2021 and batch, the order of the Third Review Applicant dated 16.03.2021 has been quashed and it has been remanded back for fresh enquiry by giving notice to the petitioners therein and other claimants of the larger extent of the subject lands.

18. Hence, the pattas granted to private persons in respect of lands claimed as "Kazhuveli" by the Review Applicants have resumed its



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validity. If the mutations have not been effected in favour of the Respondent in pursuant to the orders already passed in the Writ Appeals, she cannot be considered as an interested party in order to participate in the *de novo* enquiry as ordered by the Court in the subsequent order dated 21.12.2021 passed in a batch of Writ Petitions in W.P.No.16419 of 2021 batch.

19. In whichever way the matter is looked at, prejudice would be caused to the Respondent, if the mutation in revenue records has not been carried out as directed, however, subject to the outcome of any pending enquiry in this regard. As the Respondent did not claim any fresh patta, she had only sought for mutation of revenue entries in her name as she happened to be the subsequent purchaser, the Writ Appellate Court had considered the submissions of both sides and equated her position to that of other similarly placed persons and granted the relief.

20. As the Respondent can also be interested to participate in the enquiry for rejecting pattas issued in respect of the subject lands, the



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Review Applicants are obligated to effect mutation in the revenue records and grant patta, subject to the risk that might arise to her and persons similar to her due to the outcome of the ongoing enquiry. As the Review Applicants have not made out any ground for review, this matter does not require any positive consideration for granting the relief prayed.

21. In the result, these Review Applications are dismissed. No costs. Consequently, Connected Miscellaneous petitions are closed.

[R.S.K.J.]

[R.N.M.J.]

23.09.2025

Index:Yes/No

Speaking/Non-speaking order

Neutral Citation:Yes/No

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R.SURESH KUMAR, J.
and
R.N.MANJULA, J.
gsk

To
Mrs. Hema Anandhan,
W/o.Mr.Anandhan
No.360/A, Thiruvanjiam Apartments,
1st Main Road, Second Cross Street,
Natesan Nagar, Virugambakkam,
Chennai - 600 092.

**Rev.Appl.Nos.135 & 136 of 2023 and
C.M.P.Nos.16222, 16257 & 16258 of 2023**

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Rev.Appl.Nos.135 & 136 of 2023 and
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R.SURESH KUMAR,J.
AND
R.N.MANJULA,J.

(Order of this Court was made by MR.JUSTICE R.SURESH KUMAR)

These Review Applications are listed today under the caption "for being mentioned" at the instance of the respondent / party-in-person.

2. The respondent / party-in-person has pointed out some typographical errors / corrections in the order dated 23.09.2025 passed in the above Review Applications, with regard to the extent of Plot No.50 in paragraph Nos.3 & 6 of the order and submitted that Plot No.50 actually measures 7200 Sq.ft, but, it has been wrongly mentioned as 7000 Sq.ft. She further submitted that she has purchased one Plot from Mr.Ramachandran and another from Mr.Muralidharan. But, the same has been wrongly mentioned in paragraph Nos.11 and 16 as if both the Plots were purchased from Mr.Ramachandran.



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3. In view of the above submission of the respondent / party-in-person, the said corrections are carried out now and the following orders are passed:

“(i) In paragraph Nos.3 and 6, the extent of Plot No.50, shall be corrected as 7200 Sq.ft. instead of 7000 Sq.ft.

(ii) In so far as Paragraph Nos.11 and 16 are concerned, the said paragraphs shall be replaced as under:

“**11.** So far as the Respondent is concerned, she claims that she is the subsequent purchaser of two plots, one from Ramachandran who held patta in Patta No.247 and another from Muralidharan. The respondent after having perused the documents and satisfied with the title of the vendors, had purchased the subject properties. Even though a direction has been given for grant of patta, in reality, it is only a mutation of revenue entries which already stood in the name of Ramachandran, the vendor of the Respondent.

16. The one and only contention that has been made by the Review Applicants is that the lands classified as "Kazhuveli" can never be re-classified as any other category



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and hence the issuance of patta cannot be treated as legal. But, in the UDR, the very same property is said to have been classified as "Anatheenam" and "Government Poramboke". For the reasons best known, the property once classified as "Kazhuveli" has been re-classified as "Anatheenam" and later considered as "Ryotwari Punjai" and pattas have been issued in favour of some private persons. So far as the Respondent is concerned, she is only a subsequent purchaser from the earlier pattadars for Plot Nos. 49 and 50 by virtue of the sale deeds dated 12.04.2007, 04.01.2008 and 02.09.2009.”

4. It is made clear that, except the above corrections, in all other respects, the order dated 23.09.2025 shall remain unaltered.

5. The Registry is directed to issue the corrected copy of the order to the parties.

[R.S.K.J.]

[R.N.M.J.]

29.10.2025

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R.SURESH KUMAR,J.

AND

R.N.MANJULA,J.

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