



Rev.Aplw.No.113 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 10.03.2025

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Review Application No.113 of 2024
in WP.No.17425 of 2023
and WMP No.20645 of 2024

1.The Block Development Officer
Vanur, Villupuram District.

2.The President
Vivanatham Panchayat Union
Vivanatham Village
Kazhuperumpakkam Post
Vanur Taluk
Villupuram District.

..Applicants/Respondents

Vs.

1.Palani Mudaliar

2.Arunachala Mudaliar

3.Sivaprakasa Mudaliar

4.Purushothaman Mudaliar

5.Saravana Ayya Mudaliar

6.Soundararajan Mudaliar

7.Chinnathambu Mudaliar

..Respondents/Writ Petitioners

8.District Collector of Villupuram
Villupuram.

9.The Revenue Divisional Officer
Villupuram.



Rev.Aplw.No.113 of 2024

WEB COPY

10.The Divisional Education Officer
O/o.The Divisional Education Officer
Vanur Village, Villupuram District.

11.The Tahsildar
Valur Taluk
Vanur, Villupuram.

12.P.Sridhar alias Chandrasekar

.. Respondents

PRAYER: Review Petition has been filed under Order 47 Rule 1 r/w Section 114 of CPC, to review the order dated 13.06.2023 in W.P.No.17425 of 2023.

For Petitioner : Mr. U.Baranidharan

For Respondents: Mr.T.Dhanasekaran
for R1 to R7

Mrs.S.Mythreye Chandru
Special Government Pleader
for R10

Mr.P.Sathish
Additional Government Pleader
for R8, R9 and R11

O R D E R

This review application has been filed to review the order passed in WP.No.17425 of 2023 dated 13.06.2023.

2.Heard Mr. U.Baranidharan, learned counsel for the petitioners,
Mr.T.Dhanasekaran, learned counsel for R1 to R7, Mrs.S.Mythreye Chandru,



Rev.Aplw.No.113 of 2024

learned Special Government Pleader for R10 and Mr.P.Sathish, learned Additional Government Pleader for R8, R9 and R11.

3.The order was passed in the writ petition only based on the written instructions received to the effect that the school building is not being constructed in the subject property in Survey Nos.256/2 and 228/1. For proper appreciation, the relevant portion is extracted hereunder:

4. Learned Additional Government Pleader appearing on behalf of respondents 5 and 6 produced the written instructions received from the fifth respondent. It is specifically stated in the written instructions that the school building is going to be constructed only in the place where the old building was in existence since the old building has become dilapidated and it is almost 70 years since that building was constructed. It is also specifically stated that there is no proposal to construct any building in Survey No.228/1.

5. Learned Special Government Pleader appearing for respondents 1 to 4 also produced the certificate given by the Village Administrative Officer in which it has been stated that the school was constructed in Survey No.256/2 with an extent of 600 sq.mtrs. and the said school building has become dilapidated and hence, steps were taken to demolish the building and construct a new building in the same place in which earlier school building was situated.

6. It is apparent from the written instructions received from the respondents that the apprehension raised by the petitioners is unfounded and the grievance addressed by the



WEB COPY



Rev.Aplw.No.113 of 2024

petitioners has been sufficiently answered by the respondents. The petitioners cannot have any objection if the school building is constructed in the same place where the old school building was in existence.

2.The review application has been filed on the ground that in both the survey numbers, the school building is already in existence and that due to oversight, wrong instructions were given to the learned Special Government Pleader. To substantiate the same, certain documents were also relied upon. In the light of the above stand taken by the review petitioners, this Court has to necessarily deal with the writ petition on merits.

3.In the light of the above discussion, this review application stands allowed and W.P.No.17425 of 203, stands restored. No costs. WMP No.20645 of 2024, stands closed.

07.03.2025

1/3

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Index : Yes / No
Internet : Yes / No
Neutral Citation : Yes / No



Rev.Aplw.No.113 of 2024

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To

- 1.District Collector of Villupuram
Villupuram.
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Villupuram.
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Rev.Aplw.No.113 of 2024

N.ANAND VENKATESH, J.

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07.03.2025
1/3