



DATED : 13.11.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Rev.Aplc(MD).No.244 of 2025
in
C.M.A.(MD).No.1115 of 2024

... Review Petitioner/
Respondent No.1

Vs.

... 1st Respondent/Appellant

Paradeshi Reddiar (Died)

3.Mani alias Suriya Prabha

4.Siva

5. Amutha

... Respondents 2 to 7/Respondents 2 to 7



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Prayer: Review Application filed under Article 47 Rule 1 and 2 read with Section 114 of Civil Procedure Code, to review the order dated 29.08.2024 made in C.M.A.(MD) No.1115 of 2024 by allowing this Review.

For Petitioner : Mr.M.Ajmal Khan
Additional Advocate General
assisted by Mr.T.Omprakash
Government Advocate

For R-1 : Mr.M.Karunanithi

ORDER

This Review Application seeks review of the order passed by this Court in C.M.A.(MD).No.1115 of 2024 dated 29.08.2024.

2. The appeal in C.M.A.(MD).No.1115 of 2024 was filed challenging the order of attachment and permitting the first respondent/review petitioner to sell the properties belonging to the appellant/first respondent. It was the case of the appellant/first respondent herein that though the property belongs to him, he was not heard before the impugned order dated 26.05.2015 was passed by the Special Court under TNPID Act, making the attachment passed by the



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Government absolute. This Court after hearing the learned Government Advocate for the first respondent/review petitioner had set aside the impugned order on the ground that the attachment of the property was done without due notice to the appellant and the order was passed under Section 7(7) of the TNPID Act, 1997, which provision was deleted on 24.07.2008.

3. However, it is seen that certain facts were not brought to the notice of this Court by the learned Government Advocate, namely, that pursuant to the impugned order, the properties were sold on 29.11.2023; that possession was also handed over to the buyer and a sale certificate was issued to the buyer on 07.12.2023; and that the Special Court had also directed equitable distribution of the sale proceeds to the depositors.

4. The learned Additional Advocate General appearing for the review petitioner would therefore submit that had these facts been brought to the knowledge of this Court, this Court would not have directed the matter to be remitted back to the TNPID Court for fresh consideration as much water had flown under the bridge after the impugned order.



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5. The learned Additional Advocate General is justified in making such a submission. Therefore, this Court is inclined to recall the earlier order passed in C.M.A.(MD).No.1115 of 2024 dated 29.08.2024. Hence, C.M.A.(MD) No. 1115 of 2024 is restored to file, and has to be adjudicated afresh.

6. With the above observations, this Review Application stands disposed of. There shall be no order as to costs.

7. Registry is directed to list the Civil Miscellaneous Appeal before the learned Judge dealing with the roster for admission.

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NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
Lm/ars

To

The Special Court under TNPID Act Cases,
Madurai.



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SUNDER MOHAN, J.

Lm/ars

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