



W.M.P.(MD)No.4898 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 03.04.2025

CORAM

THE HON'BLE MRS.JUSTICE **J.NISHA BANU**
and
THE HON'BLE MR.JUSTICE **R.VIJAYAKUMAR**

W.M.P.(MD)No.4898 of 2025
in
REV.APLW(MD)SRNo.30503 of 2024
and
REV.APLW(MD)SRNo.30503 of 2024

R.Shanthi Sri

... Petitioner in both cases

-VS-

1.The Commissioner,
Madurai City Municipal Corporation, Madurai.

2.The Assistant Commissioner,
Zone-IV (South),
Madurai City Municipal Corporation, Madurai.

3.The Assistant Executive Engineer (Scheme),
Zone-IV (South),
Madurai City Municipal Corporation, Madurai.

4.The Assistant Engineer,
Ward No.86,
Madurai City Municipal Corporation, Madurai.

5.V.Senthamil Selvi

... Respondents in both cases



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Prayer : This Miscellaneous Petition is filed under Order 4 Rule 9(4) of Appellate Side Rules of the Madras High Court to condone the delay of 249 days in re-presenting the review application in Review Application (MD)SR.No.30503 of 2024.

Prayer: This Review Application is filed under Article 226 of Constitution of India to review the order, dated 08.02.2024 passed by this Court in W.P.(MD)No.2678 of 2024.

For Petitioner	:Mr.J.Barathan
For R1 to R4	:Mr.S.S.Madhavan
	Government Advocate

ORDER

J.NISHA BANU, J.
and
R.VIJAYAKUMAR, J.

The above miscellaneous petition has been filed to condone the delay of 249 days in representing the review application in Rev.App(MD).SR.No.30503 of 2024.

2. Review SR has been filed to review and recall the order passed in W.P.(MD).No.2678 of 2024 dated 08.02.2024.



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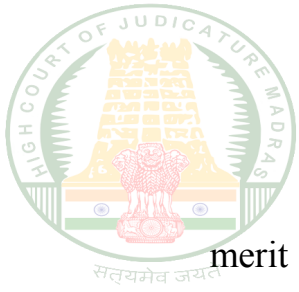
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3. There is undoubtedly an inordinate delay of 249 days in representing the review application. The applicant has failed to show sufficient cause to condone the enormous delay.

4. On an overall view of the grounds taken in the Review Application and submissions made by learned counsel for review applicant, would make it clear that there is no error apparent on the face of the record warranting review of order dated 08.02.2024.

5. The 2nd respondent had issued Notice dated 30.01.2024 to the Review Applicant and other persons who encroached the Street based on the entry found in the Corporation Register stating that such encroachments will be removed. It has been clearly stated that the pathway is used by the public as a public pathway even though it is a ryotwari patta land.

6. In such circumstances, W.M.P.(MD). No.4898/2025 filed for condonation of delay is wholly misplaced and so we do not find any



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merit in the application for condonation of delay and as such, the same is dismissed. Consequently, Review SR is rejected. No costs.

(J.N.B., J.) (R.V, J.)
03.04.2025

Index :Yes / No
NCC :Yes / No

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J. NISHA BANU, J.
and
R.VIJAYAKUMAR, J.

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