



C.M.P.(MD)No.7534 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.10.2025

CORAM :

THE HONOURABLE MR.JUSTICE R. SURESH KUMAR

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

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C.M.P.(MD)No.7534 of 2025 in Rev.Aplc.(MD) SR.No.39131of 2025

A.Arunachalam

.. Petitioner

Vs.

1. A.Unnamalai

2. S.Udaiar

3. The District Collector

Thoothukudi District, Thoothukudi.

4. The Block Development Officer

Kovilpatti Panchayat Union

Kovilpatti, Thoothukudi District.

5. The Executive Officer / President

Chidambarapuram Village Panchayat

Kovilpatti Panchayat Union

Thoothukudi District.

.. Respondents

Prayer: Petition filed under Section 151 of the Civil Procedure Code, to grant leave for the petitioner to file the above review application.

For the Petitioner : Ms.P.Jessi Jeeva Priya

For the Respondents : Mr.Amjad Khan
Government Advocate
for R4

ORDER

(Order of the Court was made by R.SURESH KUMAR, J.)

The present petition has been filed by a third party, namely, *A.Arunachalam*, son of Late *Arunachalam*. He wants to review the order passed by this Court made in W.A.(MD).No.1087 of 2024 dated 02.07.2024.



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2. In fact, the said order was passed by this Bench on 02.07.2024, confirming the order passed by the Writ Court dated 29.01.2024 made in W.P.(MD).No.27821 of 2023, which was impugned before us in the said writ appeal.

3. Either in the order of the Writ Court, or in our order dated 02.07.2024, it has not been stated about the title over the property in question, where the Local Authorities wanted to lay pipelines for the purpose of drinking water supply to the local residents. If at all there had been any grievance for the writ petitioner/appellant, that would permit the writ petitioner/appellant to approach the competent Civil Court to establish the title and the laying of the pipeline itself would be subject to the outcome of the decision to be taken by the Civil Court.

4. When that being the position, now, the present petitioner, being a third party, claims that, already he had got a declaratory decree from the competent Civil Court, of course by way of an *ex parte* decree, with regard to the land in question and therefore, he has got the right over the property, which has been utilized by the Local Authorities for laying pipelines. Only in that capacity or on that ground, the present petitioner wants to get a leave from this



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Court to challenge the order passed by us dated 02.07.2024 by way of a review application.

5. We have heard *Ms.P.Jessi Jeeva Priya*, learned counsel appearing for the petitioner and have perused our order dated 02.07.2024.

6. As we have recorded hereinabove, with regard to the title over the property in question, nothing has been stated in our order and it is ultimately to be a decision of the competent Civil Court. It is further to be noted that *Mr.Ajmad Khan*, the learned Government Advocate appearing for the Block Development Officer, who is the 4th respondent herein, has stated that, pursuant to our order dated 02.07.2024 made in W.A.(MD).No.1087 of 2024, already pipelines have been laid by the Local Authorities and it has been utilized for the purpose of drinking water facility to the locals.

7. When that being the position, as of now, no other relief could be granted, as has been sought by the present petitioner, by not only permitting him to file a review application, but also entertaining such proposed review application against the order dated 02.07.2024, the reason being that, in the order passed by the



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Writ Court as well as the Division Bench in our order dated 02.07.2024, we have nowhere declared any title over the property in question either in favour of the local Authorities or in favour of any local parties. Therefore, if at all the present petitioner wants to establish title over the property by showing Civil Court decree or judgment, it is open to the present petitioner to agitate the issue in the manner known to law.

8. With that liberty, the present petition is liable to be dismissed and accordingly, it is dismissed. However, there shall be no order as to costs. Consequently, the review application stands rejected at the numbering stage itself.

(R.S.K., J.) (G.A.M., J.)
14.10.2025

Speaking Order/Non-Speaking Order
Neutral Citation:Yes/No
Internet:Yes/No
Index:Yes/No

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Thoothukudi District, Thoothukudi.
2. The Block Development Officer
Kovilpatti Panchayat Union
Kovilpatti, Thoothukudi District.



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R. SURESH KUMAR, J.

AND

G.ARUL MURUGAN, J.

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