



WMP(MD)No.6103 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 03.04.2025

CORAM :

**THE HONOURABLE MRS.JUSTICE J.NISHA BANU
and
THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

**WMP(MD)No.6103 of 2025 in
REV.APLW(MD)SR.No.38554 of 2024
and
REV.APLW(MD)SR.No.38554 of 2024**

Govindharajan

... Petitioner in both cases

vs.

1. The District Collector,
Virudhunagar District,
Virudhunagar.

2. The Superintendent of Police,
Virudhunagar,
Virudhunagar District,

3. The Commissioner,
Aruppukottai Municipality,
Aruppukottai Town,
Virudhunagar District.

4. The Superintending Engineer,
Tamil Nadu Electricity Distribution Circle,
Virudhunagar,
Virudhunagar District.

5. S.Rengaraj



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6. E.Sethuraman

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7. Y.Chandra Prakash

... Respondents in both cases

Prayer: The Writ Miscellaneous Petition is filed under Section 5 of the Limitation Act to condone the delay of 263 days in re-presenting the above Review Application.

Prayer: The Review Application is filed under Section 114 CPC read with Order 47 Rule 1 to review the order passed by this Court in W.P.(MD)No.19918 of 2020, dated 25.03.2024.

For Petitioner	: Mr.A.Raja
For R1 & R2	: Mrs.D.Farjana Ghoushia Special Government Pleader
For R3	: Mr.N.Dilipkumar
For R5	: Mr.T.Ramasamy
For R6	: Mr.I.Suthakaran



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ORDER

WEB **J.NISHA BANU, J.**
AND
R.VIJAYAKUMAR, J.

The 7th respondent as writ petitioner, has filed the writ petition in W.P(MD)No.19918 of 2020, seeking a Mandamus directing the official respondents to remove the unauthorised construction of commercial building put up by the 6th respondent herein. The Division Bench by order dated 25.03.2024, has disposed of the said writ petition with a direction to the 3rd respondent Municipality to take necessary action for removal of the abovesaid unauthorised construction after providing opportunity to all the parties concerned within a period of twelve weeks. Seeking to review of the said order, the third party, has filed the review application and there is a delay of 263 days in re-presenting the review application.

2. In support of the delay, the review applicant has stated that he fell sick and therefore, he could not follow-up the case and further, the case bundle got misplaced in the office of the Advocate and hence, the above delay has occurred.



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3. The learned Special Government Pleader appearing for the 2nd respondent would state that the Writ Court has only directed removal of unauthorised construction after providing opportunity to all the parties concerned and therefore, there is no error apparent to review the said order. Hence, she prays for dismissal of the review application.

4. Heard both sides.

5. Though the review applicant has raised various grounds to review the order passed in the writ petition, the writ petition was disposed of with a direction for removal of unauthorised construction after providing opportunity to all the parties concerned. Thus, we do not find any error apparent on the face of the order sought to be reviewed.

6. Accordingly, WMP(MD)No.6103 of 2025 is dismissed. Consequently, REV.APLW(MD)SR.No.38554 of 2024 is rejected.



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[J.N.B, J.]

[R.V, J.]

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Index : Yes / No

Neutral Citation : Yes / No

cmr/bala

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Virudhunagar District,

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ORDER MADE IN
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and
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