



W.M.P.(MD)No.12194 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 19.06.2025

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
AND
THE HONOURABLE MR.JUSTICE B.PUGALENDHI**

W.M.P.(MD)No.12194 of 2025
in
Rev.AplW(MD)No.SR46660 of 2025

- 1.Ilamathi
- 2.Pandiammal
- 3.Kumar
- 4.Usha
- 5.Kavitha
- 6.Rani
- 7.Kanagambal @ Thenmozhi
- 8.Backiyam
- 9.Kaliammal

... Petitioners

Vs.

- 1.The Commissioner,
Devakottai Municipality,
Devakottai Municipal Office,
Devakottai,
Sivagangai District.
- 2.Vallivilas Kovil Private Trust,
Represented by its Secretary,



W.M.P.(MD)No.12194 of 2025

Ward A, Block 20, Devakottai Town,
Devakottai Taluk, Sivagangai District.

... Respondents

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Prayer in W.M.P.(MD)No.12194 of 2024 : Miscellaneous Petition is filed under Article 226 of the Constitution of India, to condone the delay of 694 days in filing Review application against the order passed in W.P.(MD)No.7738 of 2023 in W.M.P.(MD)No.7189 of 2023 dated 13.06.2023 on the file of this Court.

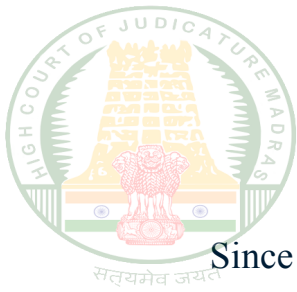
Prayer in Rev.AplW.(MD)No.46660 of 2025: Review Application is filed under Section 114 r/w. Order 47 Rule 1 of Civil Procedure Code, to allow the review application and set aside the order passed in W.P.(MD)No.7738 of 2023 in W.M.P.(MD)No.7189 of 2023 dated 13.06.2023 on the file of this Court.

For Petitioner : Mr.A.Naresh Prabhu

ORDER

Heard the learned counsel for the petitioner.

2.Vide order dated 13.06.2023 in W.P.(MD)No.7738 of 2023, we sustained the eviction notice issued by the Devakottai Municipality. Seeking review of the said order, this review application has been filed.



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Since there is a delay of 694 days, W.M.P.(MD)No.12194 of 2024 was filed.

3.The delay is inordinate. The reasons set out in the affidavit filed in support of the condone delay petition are not convincing. Even according to the petitioner, the disputed site is a water body. According to him, since it stands in the name of a private trust, local body cannot issue any eviction notice. This contention was already considered by us. We have been consistently taking a stand that there cannot be any private worship of water bodies.

4.In this view of the matter, we do not find any ground to review our earlier order and the miscellaneous petition is dismissed. No costs. Consequently, Rev.Apl.W.(MD)No.SR46660 of 2025 is dismissed at the SR stage itself.

(G.R.S.J.) & (B.P.J.)
19.06.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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W.M.P.(MD)No.12194 of 2025

**G.R.SWAMINATHAN, J.
and
B.PUGALENDHI, J.**

ias

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