



WMP(MD)No.13733 of 2024

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.13733 of 2024 in
REV.APLW(MD)SR.No.46899 of 2024
and
REV.APLW(MD)SR.No.46899 of 2024

S.B.Rajkumar

... Petitioner in both cases

vs.

1. B.Kalyani

2. The District Collector,
Madurai District.

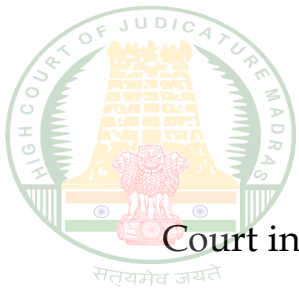
3. The Commissioner,
Madurai Corporation, Madurai.

4. The City Town Planning Officer,
Madurai Corporation, Madurai.

... Respondents in both cases

Prayer: The Writ Miscellaneous Petition is filed under Section 5 of the Limitation Act to condone the delay of 135 days in filing the above Review Application.

Prayer: The Review Application is filed under Order 47 Rule 1 and 2 and under Section 114 CPC to review the order passed by this



WMP(MD)No.13733 of 2024

Court in W.P.(MD)No.1101 of 2024, dated 22.01.2024.

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For Petitioner : Mr.K.R.Laxman

For R2 : Mrs.D.Farjana Ghoushia
Special Government Pleader

ORDER

J.NISHA BANU, J.

AND

R.VIJAYAKUMAR, J.

The 1st respondent has filed the writ petition in W.P(MD)No. 1101 of 2024, seeking a Mandamus directing the respondents 3 and 4 herein to demolish the unauthorised construction put by the review applicant herein. The Division Bench by order dated 22.01.2024, has disposed of the said writ petition with a direction to the respondents 3 and 4 herein to pass orders on the 1st respondent's representation dated 09.12.2023 within a period of twelve weeks. Seeking to review of the said order, the 4th respondent in the writ petition has filed this review application with the delay of 135 days.

2. In support of the delay, the review applicant has stated that without putting him notice, the writ petition was disposed of and he



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came to know the said order only in the month of June 2025 and hence,

the above delay has occurred.

3. The learned Special Government Pleader appearing for the 2nd respondent would state that the Writ Court without going into the merits of the case, has only directed to pass orders on the representation of the 1st respondent 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 to pass orders on the 1st respondent's representation after providing opportunity to the 1st respondent and the review applicant herein. Thus, we do not find any error apparent on the face of the order sought to be reviewed.

6. Accordingly, WMP(MD)No.13733 of 2024 is dismissed.



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Consequently, REV.APLW(MD)SR.No.46899 of 2024 is rejected.

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[J.N.B, J.]

[R.V, J.]

03.04.2025

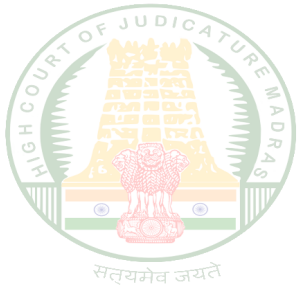
Index : Yes / No
Neutral Citation : Yes / No
cmr/bala

To

1. The District Collector,
Madurai District.

2. The Commissioner,
Madurai Corporation, Madurai.

3. The City Town Planning Officer,
Madurai Corporation, Madurai.



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

cmr/bala

ORDER MADE IN
WMP(MD)No.13733 of 2024 in
REV.APLW(MD)SR.No.46899 of 2024
and
REV.APLW(MD)SR.No.46899 of 2024
DATED : 03.04.2025