

WMP(MD)No.18245 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

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.18245 of 2024
in
REV.APLW(MD)SRNo.65180 of 2024
and
REV.APLW(MD)SRNo.65180 of 2024

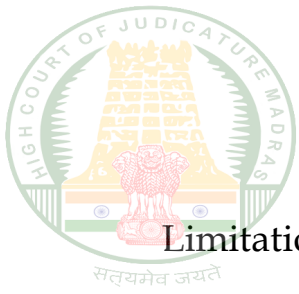
St.Joseph's Higher Secondary School
and Jericho Training Centre for the
Blind and Handicapped,
represented by its Correspondent,
Fr.A.J.Anbarajan, Trichy District. ... Petitioner in both cases

-VS-

- 1.The District Collector,
District Collector's Office,
Trichy -1, Trichy District.
- 2.The Tahsildar,
Taluk Office, Srirangam Taluk,
Trichy District.
- 3.The District Revenue Officer,
DRO Office, Trichy,
Trichy District.
- 4.R.Senthilkumar

... Respondents in both cases

Prayer : This Miscellaneous Petition is filed under Section 5 of the



WMP(MD)No.18245 of 2024

Limitation Act to condone the delay of 592 days in filing the above Review Application against the order passed in W.P.(MD)No.27930 of 2022, dated 21.12.2022.

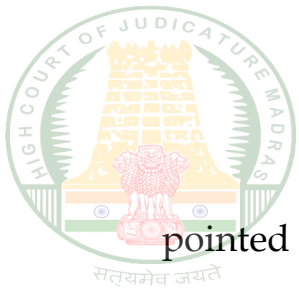
Prayer: This Review Application is filed under Section 114 and Order 47 Rule 1 CPC to review the order passed by this Court in W.P.(MD)No. 27930 of 2022, dated 21.12.2022.

For Petitioner :Mr.S.I.Muthaiah
For R1 to R3 :Mr.S.S.Madhavan
Government Advocate

ORDER

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

The review applicant/writ petitioner is a school which was issued with a show cause notice under Section 7 of the Tamil Nadu Land Encroachment Act, 1905, against which, they filed an appeal before the District Collector and the same was dismissed on 07.11.2022, with a direction to proceed with eviction proceedings. Challenging the said order, the review applicant filed the writ petition. Before the Division Bench, the review applicant/writ petitioner themselves have filed an undertaking affidavit that they will remove the encroachment



WMP(MD)No.18245 of 2024

pointed out by the officials on or before 30.04.2023. Recording the said undertaking, the Division Bench disposed of the writ petition by order dated 21.12.2022. Seeking to review the said order, the writ petitioner's school has filed this review application with the delay of 592 days in filing.

2. The review applicant would contend that no prejudice would be caused to the official respondents, if the possession of the petitioner's school over the subject lands are regularised. For the delay, the review applicant would state that after the order of the Division Bench, they filed petition for extension and this Court granted extension of time for six months and that the second petition filed for further extension of time was dismissed and hence, the above delay occurred.

3. The learned Government Advocate appearing for the respondents 1 to 3 would state that contrary to their own undertaking, the writ petitioner has filed this review application seeking regularisation of the encroachment and therefore, there is no error apparent to review the said order. Hence, he prays for dismissal of the



WMP(MD)No.18245 of 2024

review application.

WEB COPY

4. Heard both sides.

1. Upon perusal of the grounds raised in the review application, we do not find any scope for reviewing the order. As rightly contended by the learned Government Advocate, contrary to their own undertaking, the review applicant/school is now seeking for regularisation of their possession under the garb of review. The scope of review being very limited, we do not find any error apparent on the face of the order sought to be reviewed.

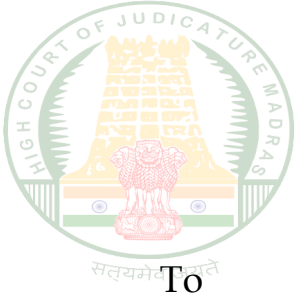
2.

6. Accordingly, WMP(MD)No.18245 of 2024 is dismissed.

Consequently, REV.APLW(MD)SR.No.65180 of 2024 is rejected.

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

Index : Yes / No
NCC : Yes / No
cmr



WMP(MD)No.18245 of 2024

To
WEB COPY

- 1.The District Collector,
District Collector's Office,
Trichy -1, Trichy District.
- 2.The Tahsildar,
Taluk Office, Srirangam Taluk,
Trichy District.
- 3.The District Revenue Officer,
DRO Office,
Trichy, Trichy District.



WEB COPY



WMP(MD)No.18245 of 2024

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

cmr

W.M.P.(MD)No.18245 of 2024

03.04.2025