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Rev.Aplw(MD).No. 204 of 2



THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.01.2025

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
AND
THE HONOURABLE MRS. JUSTICE L. VICTORIA GOWRI

Rev.Aplw(MD).No. 204 of 2024

and

W.M.P(MD).No. 21467 of 2024

1.A.Thavasimuthu

2.Y.Sathya

3.M.Yoven Edwin

...Review petitioners

Vs.

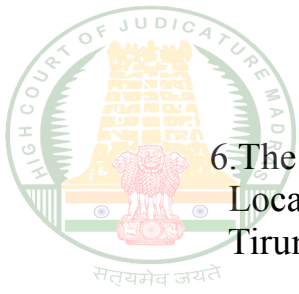
1.S.Paramasiva Iyyappan

2.The District Collector / Monitoring Committee,
Tirunelveli District.

3.The Tahsildar,
Palayamkottai Taluk,
Tirunelveli District.

4.The Block Development Officer,
(Village Panchayat),
Palayamkottai Taluk,
Tirunelveli District.

5.The President,
Munneerpalam Village Panchayat,
Tirunelveli District.



6.The Member Secretary / Joint Director,
Local Planning Authority,
Tirunelveli District.

...Respondents

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Prayer: Review Petition filed under Order 47, Rule 1 & 2 r/w. 114 C.P.C., seeking to review the order dated 19.08.2024 passed in W.P.(MD).No. 19065 of 2024.

For Review Petitioner : Mr.Charles Kamalesh M Appaji
For Respondents : Mr.S.P.Maharajan
Special Government Pleader

ORDER

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

The petitioners seek review of the order made in W.P.(MD)No.19065 of 2024.

2. It is the contention of the petitioners that the land in question is not classified either as park or children's play area but, the land in question belongs to them as their Patta land. In the order, which is sought to be reviewed, we had only directed the respondents to take steps to remove the encroachments. The respondents will necessarily follow the procedure prescribed under the Land Encroachment Act, while removing the encroachments. It will be open to the petitioners to satisfy the respondents

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that these lands are not reserved as park or children's play area.

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3. It is also stated that a suit filed by the 1st petitioner seeking declaration of title has been dismissed and an appeal is pending. It will also be open to the petitioners to move the appellate Court seeking appropriate protection. The Appellate Court, if moved, will consider the case on its own merits without being influenced any of the observations made in the order dated 19.08.2024 made in W.P.(MD).No.19065 of 2024.

4. This review application is disposed of with the above observations. Consequently, connected miscellaneous petition is closed.

(R.S.M., J.) (L.V.G., J.)
20.01.2025

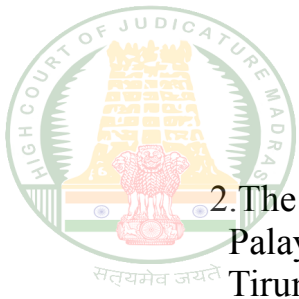
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Index: Yes / No
Speaking order / Non-speaking order
Neutral Citation : Yes / No

To:

1.The District Collector / Monitoring Committee,
Tirunelveli District.

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2.The Tahsildar,
Palayamkottai Taluk,
Tirunelveli District.

3.The Block Development Officer,
(Village Panchayat),
Palayamkottai Taluk,
Tirunelveli District.

4.The President,
Munneerpalam Village Panchayat,
Tirunelveli District.

5.The Member Secretary / Joint Director,
Local Planning Authority,
Tirunelveli District.

R.SUBRAMANIAN, J.
and
L.VICTORIA GOWRI, J.

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