



Rev.aplw(MD) No.170 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16-09-2025

CORAM

THE HONOURABLE MS. JUSTICE P.T. ASHA

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and W.M.P(MD).Nos.18825 and 18826 of 2018

1.The District Collector,
Theni District, Theni.

2.The District Revenue Officer,
Theni District, Theni.

3.The Revenue Divisional Officer,
Periyakulam, Theni District.

4.The Thasildar,
Theni Taluk, Theni District.

... Petitioners

Vs

E.Gokilavarthini

... Respondent

Prayer: Review application is filed under Order 47 Rule 122 r/w Section 144 of the Code of Civil Procedure, to review the order passed by this Court in W.P(MD).No.18923 of 2024 dated 07.08.2024 set aside by this Court and allow the review petition.

For Petitioners

: Mrs.D.Farjana Ghoushia
Special Government Pleader



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For Respondent : Mr.C.M.Ganesan

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ORDER

This review application has been filed to review the order passed by this Court on 07.08.2024 in W.P(MD).No.18923 of 2024.

2. It is the contention of the petitioners that the impugned order has been obtained by the respondent by suppressing an earlier order of this Court passed in W.P(MD).No.5775 of 2022, dated 31.03.2022, wherein this Court has passed the following order:

“6.After recording the submissions made by the respective counsels, this Court directs the third respondent to conduct survey and demarcation of the boundaries in respect of the property comprised in Survey No.191 in T.S.No.2/3 having extent of 2000 sq.ft at Theni Town Municipality Limit, Theni Taluk, Theni District and after survey and demarcation of the boundaries, the third respondent shall consider the online application, seeking for issuance of patta in the name of the petitioner and pass final orders, within a period of four months from the date of receipt of a copy of this order, after affording a fair hearing to the petitioner and other necessary parties, whom the third respondent deems fit to enquire. The petitioner will have to pay the necessary charges for survey and demarcation of the boundaries.”



3. The respondent had also suppressed the suit in O.S.No.50 of 2022 filed by one Vithya. In O.S.No.50 of 2022, the said Vithya has sought for the relief of injunction against the defendants therein and to declare the sale deed dated 18.07.2013 registered as Doc.No.5437/2013, sale deed dated 08.03.2015 bearing Doc.No.2816/15 and sale deed dated 18.03.2015 bearing Doc.No.15/2008 to 16 of 2016 as null and avoid. In the said suit, the respondent herein has been arrayed as fourth respondent. The respondent herein claims title over the subject property on the basis of the sale deed registered as Doc.No.2816 of 2015 dated 09.03.2015. This sale deed has been declared as null and void by the learned District Munsif, Theni, in the aforementioned suit in O.S.No.50 of 2022. These facts have been suppressed by the respondent herein and the respondent has sought to have the patta transferred on the basis of the sale deed, which was now declared as null and void. Therefore, the petitioners would submit that the order impugned has to necessarily be set aside.

4. Heard the learned counsel on either side.

5. Earlier order in W.P(MD).No.18923 of 2024 had been obtained by the respondent by contending that she had purchased the property vide sale deed



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registered in Doc.No.2816 of 2015 dated 09.03.2015. On the date when the impugned order was obtained by this Court i.e., on 07.08.2024, the sale deed in favour of the respondent was already declared as null and void by the learned District Munsif, Theni, in his judgment and decree dated 24.07.2023 in O.S.No. 50 of 2022. The order dated 07.08.2025 in W.P(MD).No.18923 of 2024 was obtained by the respondent herein by suppressing the true facts. Therefore, the order cannot be sustained and accordingly, the Review Application is allowed and the order of this Court dated 07.08.2024 passed in W.P(MD).No.18923 of 2024 is set aside. Consequently, connected Miscellaneous Petitions are closed.

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NCC : Yes/No

Index : Yes/No

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P.T. ASHA,J.

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