



REV.APLC.(MD)No.36 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **12.06.2026**

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

AND

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

REV.APLC(MD)No.36 of 2026

and

C.M.P.(MD)No.3834 of 2026

1.The Secretary to Government,
Adi Dravidar and Tribal Welfare Department,
Secretariat, Chennai-600 009.

2.The District Collector,
Collectorate, Sivagangai District.

3.The Special Tahsildar,
(Adi Dravidar & Tribal Welfare),
Sivagangai, Sivagangai District.

4.The Tahsildar,
Tahsildar Office,
Manamadurai Taluk,
Sivagangai District.

...Review Applicants

Vs.

S.Kulandaisamy

...Respondent

PRAYER:- Writ Appeal – filed under Clause 15 of the Letters Patent, to set aside the order passed in W.A.(MD)No.1358 of 2023 dated 21.08.2023.



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For Applicants : Mr.S.Venkatesh
Counsel for the State
For Respondent : Mr.G.Mohan Kumar
for Mr.D.Nallathambi

ORDER

(Order of the Court was made by **D.BHARATHA CHAKRAVARTHY, J.**)

This Review Application is filed seeking to review the order passed in W.A.(MD)No.1358 of 2023 dated 21.08.2023

2.The brief facts leading to the filing of the review application is that the land belonging to the respondents was acquired vide G.O.(3D) No.655, Adi Dravudar and Tribal Welfare Department, dated 05.07.1991. Challenging the same, W.P.No.9467 of 1993 was filed by the respondents. When the matter came up for arguments, apart from arguing on merits, it was stated by the writ petitioners that they themselves will offer 5 acres of land belonging to the third petitioner therein in S.No. 17/3. In view of the same, an order was passed that allowing the writ petition and quashing the land acquisition proceedings, however, giving liberty to the department to take fresh land acquisition proceedings with



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reference to the land offered by the parties. However, nothing seems to have been done.

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3.It is stated on behalf of the review applicants that even though the writ petitioners made such an offer, they never made 5 acres of land available for acquisition. As a matter of fact, they have sold the land as early as in the year 1995 itself and false representation was made before the court at the time of final hearing. Even thereafter, no proceeding seems to have been taken by the Review Applicants either to bring it to the notice of the Court that the lands were no more available or to acquire the lands as mentioned by the respondents or to review the order passed in W.P.No.9467 of 1993.

4.In that circumstances, when the patta was not restored in the name of the original owners, the writ petitioners filed W.P.(MD)No. 13651 of 2023 and the same was dismissed by the learned Single Judge. Challenging the same, writ appeal in W.A.(MD)No.1358 of 2023 was filed. Taking note of the fact that the land acquisition proceedings had already been quashed and that the land stood vested with the respondents herein, this Court allowed the writ appeal and issued a direction to the



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respondents to restore the patta in the name of the original owners of the property. Feeling aggrieved, the present Review Application is filed.

5.The learned Counsel for the review applications would submit that when an undertaking is given by the respondents, the same was not made with *bona fide*, inasmuch as they have sold the property in the year 1995 itself. Therefore, they are not entitled to the relief and the learned Single Judge has rightly dismissed the writ petition.

6.We have considered the submissions made on either side and perused the materials placed on record.

7.Firstly, the contention of the review applicants doesn't point out to any error on the face of record but in effect amounts to re-arguing the entire case once again. Be that as it may, even on considering the arguments on merits once again, it is evident that when the land acquisition proceedings have been quashed and thereafter no steps have been taken by the review applicants, the respondents herein will be entitled for patta and the writ appeal has rightly been allowed and there is no error whatsoever to review the said judgment dated 21.08.2023.



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8.However, in view the submissions made, we find that the costs imposed on the review applicants in the writ appeal may be harsh on the review applicants and therefore, we are inclined to modify the order of imposing costs alone in para 6 of the judgment imposing costs of Rs.50,000/- on the review applicants. Accordingly, the said direction is modified and the costs made easy.

9.Accordingly, this Review Application is disposed of. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

[N.S.K., J.] & [D.B.C., J.]
12.06.2026

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Internet :Yes
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**N.SATHISH KUMAR, J.
AND
D.BHARATHA CHAKRAVARTHY, J.**

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