



W.M.P.(MD)No.1143 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 09.06.2026

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MS.JUSTICE R.POORNIMA**

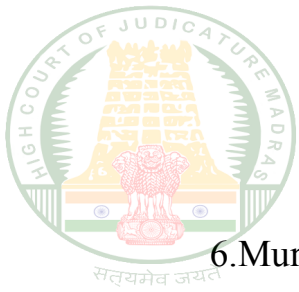
**W.M.P.(MD)No.1143 of 2023
in
Rev.Apl.W.(MD)No.SR4396 of 2023
in
W.P.(MD)No.22562 of 2021**

Vijayan @ Vijayakumar

... Petitioner

Vs.

- 1.Ponnambalantha Boopathi
- 2.The District Collector,
Collectorate, Nagercoil,
Kanyakumari District - 629 001.
- 3.The Block Development Officer,
Block Development Office,
Rajagamangalam, Palavelai,
Nagercoil, Kanyakumari- 629 501.
- 4.The Tahsildar,
Taluk Office, Agasteeswaram Taluk,
Nagercoil- 629 001.
- 5.Ponnusamy



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6.Murugavel

7.Eswari

... Respondents

Prayer in W.M.P.(MD)No.1143 of 2023 : Miscellaneous Petition is filed under Section 5 of the Limitation Act, to condone the delay of 53 days in filing review petition against in W.P.(MD)No.22562 of 2021 dated 28.10.2022.

Prayer in Rev.Apl.W.(MD)No.SR4396 of 2023 : Review Application is filed under Article 226 of the Constitution of India r/w. Section 114 and Order 47 Rule 1 of Civil Procedure Code, to allow the review application and set aside the order passed in W.P.(MD)No.22562 of 2021 dated 28.10.2022.

For Petitioner : No appearance

For Respondents : Mr.Niranjan S.Kumar for R1
Mr.M.Kannan,
Government Advocate for R2 to R4.

ORDER
(By G.R.SWAMINATHAN, J.)

None appears for the review applicant.



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2.The review applicant herein figured as the fifth respondent in W.P.(MD)No.22562 of 2021. The said writ petition was disposed of by the Hon'ble Division Bench on 28.10.2022 in the following terms:-

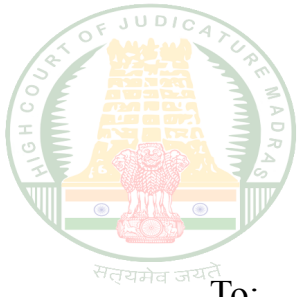
“5.Recording the aforesaid submission, this Writ Petition stands disposed of, directing the authorities concerned to remove the encroachments in the aforesaid survey numbers as per the judgment and decree dated 02.12.2009 made in S.A.(MD)No.963 of 2009, after affording sufficient opportunity to all the parties concerned and by following due process of law. Such an exercise shall be completed within a period of eight (8) weeks from the date of receipt of a copy of this order.”

Since the rights of the review applicant have been sufficiently protected and nothing has been decided on merits, we are of the view that the order does not warrant review. Hence, this miscellaneous petition is dismissed. Consequently, Rev.Apl.W.(MD)No.SR4396 of 2023 is dismissed at the SR stage itself. No costs.

(G.R.S. J.) & (R.P. J.,)
09.06.2026

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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and
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