



W.M.P.(MD)No.14635 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 02.03.2026

CORAM

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

**W.M.P.(MD)No.14635 of 2020
in
Rev.Apl.W.(MD)No.SR43801 of 2020
in
W.P.(MD)No.9612 of 2020**

John Thomas

... Petitioner

Vs.

1.Arokyasamy

2.The Revenue Divisional Officer,
Srirangam,
Trichy District.

3.The Tahsildar,
Manaparai Taluk,
Trichy District.

... Respondents

Prayer in W.M.P.(MD)No.14635 of 2020 : Miscellaneous Petition is filed under Section 115 of the Civil Procedure Code, to grant leave to the petitioner to file a review application as against the order dated 20.08.2020 in W.P.(MD)No.9612 of 2020 on the file of this Court.



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Prayer in Rev.Apl.W.(MD)No.SR43081 of 2020 : Review Application is filed under Section 114 r/w. Order 47 Rule 1 of Civil Procedure Code, to allow the review application and set aside the order passed in W.P.(MD)No.9612 of 2020 dated 20.08.2020.

For Petitioner : Mr.T.Pon Ramkuar

For Respondents : Mr.T.Amjadkhan,
Government Advocate for R2 & R3.

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

One Arokyasamy filed W.P.(MD)No.9612 of 2020 for directing the authorities to remove the encroachment in question in the petition mentioned survey number. The writ petition was disposed of on 20.08.2020 in the following terms:-

“6.This Court, taking into consideration the above facts and circumstances and without going into the merits of the claim projected by the petitioner, directs the second respondent as well as the Block Development Officer, Vaiyampatti Union, Trichy District, to follow the due process of law in the form of survey and if any encroachments are noted, remove the same, subjected to



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legal interdict if any, by adhering to the principles of natural justice and inform the decision taken, to the petitioner as well as the persons concerned including the encroachers. The said exercise shall be carried out within a period of ten days from the date of receipt of a copy of this order. The writ petition stands disposed of accordingly. No costs.”

Seeking review of the said order, the review application has been filed.

Since the petitioner is a third party, seeking leave to file the review application, the present miscellaneous petition is filed.

2.The order passed by the Hon'ble Division Bench has not gone into the merits of the matter at all. If the petitioner herein has any defence, it was left open. In these circumstances, the question of granting leave does not arise at all. This miscellaneous petition is dismissed. No costs. Consequently, Rev.Apl.W.(MD)SR.No.43081 of 2020 is also dismissed at the SR stage itself.

(G.R.S. J.) & (R.P. J.,)
02.03.2026

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