

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 30.03.2026****CORAM****THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN****AND****THE HON'BLE MRS.JUSTICE R.POORNIMA****REV.APLW.(MD)No.94 of 2019****and****W.M.P.(MD)No.17676 of 2019**

S.Ponnammal

... Petitioner

Vs.

1. The Commissioner,
Madurai Corporation, Madurai.

2. The Assistant Commissioner,
Zone No.3,
Madurai Corporation,
Madurai.

3. The Tahsildar,
South Taluk,
Madurai.

... Respondents

Prayer: Review application filed under section 114 r/w. Order XLVII Rule 1 CPC, to review the order passed by this Court in W.P. (MD)No.6980 of 2019 dated 03.04.2019.

For Petitioner : Mr.C.M.Arumugam

For Respondents : Mr.S.Vinayak,
Standing counsel for R-1 & R-2.
Mr.G.V.Vairam Santhosh,
Additional Government Pleader.

**ORDER****(Order of the Court was delivered by G.R.SWAMINATHAN, J.)**

The review applicant filed W.P.(MD)No.6980 2019 challenging the eviction order dated 19.03.2019 issued by the second respondent. The writ petition was dismissed by the Hon'ble Division Bench vide order dated 03.04.2019 in the following terms:-

“3. The learned counsel for the petitioner would state that the land in dispute was originally under the control of Chinthamani Village. The petitioner's husband had put up construction in the land in the year 2000. However, in the year 2001, the area was merged with Madurai Corporation and thereafter, the petitioner was termed as an encroacher. It is further submitted that the petitioner has given an application for issuance of Patta, but without considering the same, now they attempt to remove the petitioner from the place.

4. Per contra, the learned counsel for the respondents would state that the property in Survey Nos.28/1 and 28/2 have been classified as public track and hence, there is no question of issuance of patta in favour of the petitioner. According to the learned counsel for the respondents, mere pendency of the application



would not prevent the authorities from taking proceedings to remove the encroachers.

5. Since this Court in W.P.(MD)No.21648 of 2018, issued direction to the respondents to remove the encroachment, based on the order, the eviction proceedings are initiated by the respondents. It is not in dispute that petitioner is in occupation of the land, which has been classified as public cart track. So, we do not find any reason to interfere with the order impugned in this writ petition. The writ petition fails and the same is dismissed. No costs. Consequently, connected Miscellaneous Petitions are closed.”

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

2. We wanted to know in which survey number the petitioner is in occupation. The learned counsel for the review applicant claimed that the petitioner is in occupation of survey No.28/12. The learned Standing Counsel for the Madurai Corporation drew our attention to the representation given by the writ petitioner. It has been enclosed at page No.62 of the typed set of papers. The petitioner has sought patta on the ground that she has been in occupation of Government land for more than five years. The description of the property in the



petitioner's occupation has been given in the schedule to the said representation. It clearly states that the petitioner is in occupation of survey No.30/2 and survey No.30/6. The impugned action is taken only in respect of survey No.28/1 and survey No.28/2. Admittedly those two survey numbers have been classified as public cart tracks. Therefore, the petitioner cannot have any grievance about the dismissal order passed by the Hon'ble Division Bench. There is no error in the order passed by the Hon'ble Division Bench. This review application is without any merit. It stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

(G.R.SWAMINATHAN, J.) & (R.POORNIMA, J.)

30th March 2026

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

To:

The Tahsildar,
South Taluk,
Madurai.



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AND

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