

Rev.Apl.W(MD)No.5 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.06.2026

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

Rev.Apl.W.(MD)No.5 of 2017
in
W.P.(MD)No.24290 of 2016
and
W.M.P.(MD)Nos.2003 and 2004 of 2017

R.Gothanda Raman

... Petitioner

Vs

1.The Thasilhar,
Vembakkottai Taluk,
Virudhunagar District.

2.The Block Development Officer,
Vembakkottai Union,
Vembakkottai,
Virudhunagar District.

3.K.Kadarkarai

... Respondents

Prayer: Review Application is filed under Order XLVII, Rules 1 and 2 of the Civil Procedure Code r/w. Article 226 of the Constitution of India, to review the order of this Court in W.P.(MD)No.24290 of 2016 dated 11.01.2017.



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For Petitioner : Mr.H.Arumugam,
For Mr.N.Balasubramanian

For Respondents : Mr.M.P.Senthil,
Govt. Advocate for R1.
Mr.R.Rajaraman for R2
Mr.K.P.Sankara Kumarakuruparan for R3

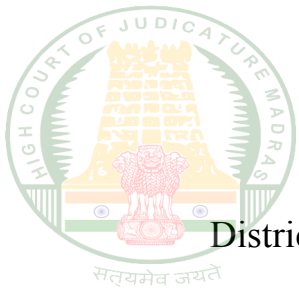
ORDER

(Order of the Court was delivered by G.R.Swaminathan, J.)

Heard both sides.

2.The Tahsildar, Vembakottai issued order dated 07.12.2016 calling upon the review applicant to remove the encroachment said to have been committed by him in survey No.737/1 in Karisalkulam Village. Challenging the same, the review applicant filed W.P.(MD)No.24290 2016. The writ petition was dismissed by the Hon'ble Division Bench on 11.01.2017. Aggrieved by the same, this review application has been filed.

3.The stand of the review applicant is that S.No.737/1 has been wrongly classified as “road” during UDR based on an erroneous FMB. The review applicant has also filed O.S.No.119 of 2016 on the file of the



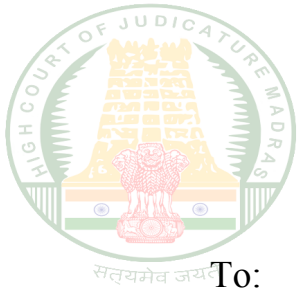
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District Munsif Court, Sivakasi. In the said suit, not only the government but also the rival party, namely Kadarkarai have been impleaded as defendants. It is stated that trial has already commenced in the suit. For the last 11 years, the review applicant has also been enjoying interim order of this Court. We are therefore of the view that the order passed by the Tahsildar, Vembakottai can be kept in abeyance for a period of six months. We direct the learned District Munsif, Sivakasi to dispose of O.S.No.119 of 2016 on merits and in accordance with law within a period of four months from the date of receipt of a copy of this order. The suit can even be dealt with on a day-to-day basis, if necessary. The rights of the parties will abide by the outcome of the suit.

4.This review application is disposed of accordingly. No costs.
Consequently, connected miscellaneous petitions are closed.

(G.R.S. J.) & (R.P. J.)
02.06.2026

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

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- 1.The Thasilhar,
Vembakkottai Taluk,
Virudhunagar District.
- 2.The Block Development Officer,
Vembakkottai Union,
Vembakkottai,
Virudhunagar District.

Copy to:

The District Munsif Court,
Sivakasi.



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**G.R.SWAMINATHAN, J.
and
R.POORNIMA, J.**

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in
W.P.(MD)No.24290 of 2016**

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