

Rev.Apl.W(MD)No.240 of 2023

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.240 of 2023
in
W.P.(MD)No.8671 of 2020
and
W.M.P.(MD)No.24611 of 2023

R.Subramaniam

... Petitioner

Vs

1.A.Vavamydeen

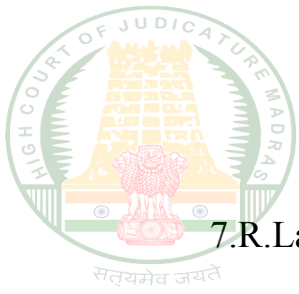
2.The District Collector,
Tenkasi District.

3.The Commissioner,
Panchayat Union,
Vadakarai Keelpidagai,
Tenkasi District.

4.The Executive Officer,
Vadakarai Keelpidagai Town Panchayat,
Tenkasi District.

5.The Tahsildar,
Shenkottai Taluk,
Tenkasi District.

6.P.Ramasamy Mudaliar



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7.R.Lakshmanan

... Respondents

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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.8671 of 2020 dated 06.08.2020.

For Petitioner : Mr.T.S.R.Venkata Ramana, Senior Counsel,
For Ms.V.Janaki Devi.

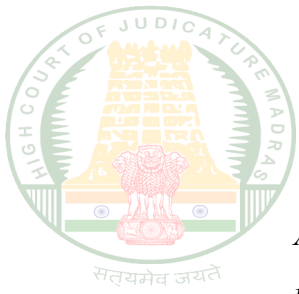
For Respondents : Mr.M.P.Senthil,
Govt. Advocate for R2 to R5.
Mr.H.Arumugam for R1

ORDER

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

One Vavamydeen filed W.P.(MD)No.8671 of 2020 for directing the authorities to remove the encroachment in S.No.814. The Hon'ble Division Bench disposed of the writ petition on 06.08.2020 in the following terms:-

“7.Though the petitioner prays for a larger relief, this Court, in the facts and circumstances of the case, without going into the merits of the claim projected by the petitioner either in his representation or in this writ petition, directs the third respondent to follow the relevant provisions of the Tamil Nadu Panchayats



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Act, 1994 and after putting the alleged encroachers if any, which include the respondents 5 and 6, take immediate and appropriate steps in accordance with law and also by adhering to the principles of natural justice and complete the entire exercise within a period of six weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner as well as the persons concerned. If the third respondent apprehends law and order problem or public order problem, he is at liberty to approach the jurisdictional police for appropriate police protection and, as and when such request is received, the jurisdictional police shall render necessary and immediate aid to the third respondent for discharging his official duties.”

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

2.The review applicant states that the alleged encroachment is a temple that was put up some 100 years ago under two neem trees. The review application has been filed in a representative capacity by the worshipers. After hearing the learned senior counsel for the review applicant and the learned Government Advocate as well as the learned counsel for the writ petitioner, we are of the view that this review application can be disposed of by directing the competent authority to issue notice to the review applicant, hold inquiry and thereafter pass speaking order. The order dated 06.08.2020 made in W.P.(MD)No.8671 of 2020 will not be construed of issuing a positive direction in favour of



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the writ petitioner. This exercise shall be completed within a period of three months from the date of receipt of a copy of this order.

3.This review application is allowed accordingly. No costs.

Consequently, connected miscellaneous petition is 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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**G.R.SWAMINATHAN, J.
and
R.POORNIMA, J.**

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