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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

RESERVED ON
09.03.2026

PRONOUNCED ON
13.03.2026

CORAM

THE HON'BLE MR.JUSTICE K.KUMARESH BABU

Review Application (MD) No. 13 of 2026
and
WMP (MD) Nos. 2608 and 2610 of 2026

V.R.Lakshmanan

..Applicant(s)

Vs.

1.D.Sundari

2.A.Pichchai

3.The Land Commissioner
Chepauk, Chennai.

4.The Assistant Commissioner
(Land Reforms)
No.165D, Bharathi Ula Street
Race Course Colony
Near Thamaraihatti
Madurai – 20.

Now this Assistant Commissioner posting hold by
the Revenue Divisional Officer
Devakottai, Sivagangai District.

5.A.Andiappan

6.K.Karuppaiah

..Respondent(s)

Prayer: Review Application filed under Order 47 Rule 1 of Code of Civil Procedure Code read with Section 114 of Code of Civil Procedure, to allow the Review Application by setting aside the order dated 05.01.2023 in W.P. (MD) No. 7232 of 2011 and consequently dismissed the writ petition with cost.



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For Appellant(s):
For Respondent(s):

Mr.K.Dhananjayan
Mr.J.Anand Kumar (R1 & R2)

ORDER

This Review Application has been filed to allow the Review Application by setting aside the order dated 05.01.2023 in W.P. (MD) No. 7232 of 2011 and dismiss the writ petition.

2. I have heard the submission of either side and also gone through the records available.

3. The instant Review has been filed by a third party seeking to review the order of this Court on the primordial contention that there was a shortage of 5.97 acres in the holdings that was permitted under the provisions of the Land Reforms Act. In support of his contention, he has also relied upon the reports of the Revenue Authorities in that regard.

4. On the contrary, the learned counsel for the respondents 1 and 2/writ petitioners would submit that the writ petition had been filed challenging the proceedings of the third respondent herein, by which the assignment granted to the writ petitioners had been set aside.



5. This Court considering the facts and circumstances of the case and having found that the notices have not been served upon the writ petitioners, had set aside the orders passed by the third respondent herein. Pursuant to the same, a fresh enquiry is being conducted by the third respondent herein, at which stage this Review Application had been filed.

6. He would submit that the claim of the review applicant can have no bearing on the orders passed by this Court as this Court had only found that there has been a violation of principles of natural justice while setting aside the orders passed by the third respondent herein. Therefore, he had contended that there is no material error apparent on the face of the record to review the order.

7. This Court in the order under review having found that the writ petitioners, who are also the respondents 1 and 2 in this Review Application, having not been issued with any notice before cancelling the order of assignment, had set aside the order passed by the third respondent herein in the writ petition.

8. It is also admitted that the third respondent herein, after issuing notice to appropriate parties, is proceeding further in the matter. The reason to review the order is that in the holdings that were declared in favour of the owners



under the Land Reforms Act, there was a shortage, which is also supported by the report of the Revenue Authorities in that regard. It is also not disputed that the lands in question are the subject matter of the Land Reforms Act and the lands have also been assigned to various beneficiaries.

9. As rightly pointed out by the learned counsel appearing for the private respondents, there is no material error apparent on the face of the record to review the order passed by this Court, but on the other hand, this Court also takes note of the fact that a valuable right of holding the lands has also been interjected without due process of law offending Article 300A of the Constitution of India. Hence, in the interest of justice, this Court is of the view that the claim of the review petitioner can also be considered by the third respondent herein, independent of the proceedings against the other private respondents.

10. For the reasons stated above, this Court is constrained to issue such direction to avoid multiplicity of proceedings and driving the litigant to initiate appropriate proceedings in the manner known to law, only to do complete justice. This Court do not find any merits in the review petition, however, there shall be a direction to the third respondent herein to independently consider the claim of the review petitioner on its own merits and in accordance with law.



11. This Review Application stands disposed. Consequently, connected Miscellaneous Petitions are closed. No order as to costs.

13.03.2026

Maya

To

1. The Land Commissioner
Chepauk, Chennai.

2. The Assistant Commissioner
(Land Reforms)
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Review Application (MD) No. 13 of 2



K.KUMARESH BABU, J.

Maya

Review Application (MD) No. 13 of 2026

13.03.2026



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Review Application (MD) No. 13 of 2

