



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-07-2026

CORAM

THE HON'BLE MRS.JUSTICE K. GOVINDARAJAN THILAKAVADI

CMP No. 8660 of 2026

AND

REV.APPL SR NO. 23194 OF 2026

R.Sujatha @ Sujatha Kalla Gowder
Prop.M/s White House Resort,
D.No.5/39J, Anand Bhavan,
Corsely, Thandhanad Road,
Kotagiri 643 217

..Petitioner

Vs

Kanaka Bhaskaran,
Rep by her power Agent Anandraj Bhaskaran,
Flat No.3, Narmada,
C.H.S. Navi, Mumbai,
Thane,
Maharastra 400 703.

..Respondent

CMP No. 8660 of 2026

Prayer: Civil Miscellaneous Petition is filed under Section 5 of the Limitation Act, to condone the delay of 38 days in filing the review application.

REV.APPL SR NO. 23194 OF 2026

Prayer: Review Application is filed Under Section Order 47 Rule 1 & 2 read with Section 114 of CPC to review the order dated 28.11.2025 passed by this Court in S.A. No.603 of 2025.

For Petitioner:

Mr. M.Karunanantham

For Respondent:

Mr.G.R.Deepak



Order

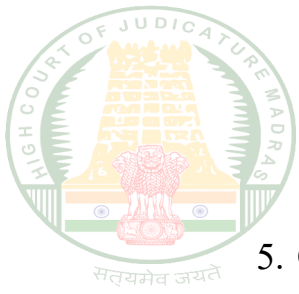
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The captioned Civil Miscellaneous Petition is preferred to condone the delay of 38 days in filing the Review Application to review the order dated 28.11.2025 passed by this Court in S.A. No.603 of 2025.

2. Mr. M. Karunanantham, the learned counsel appearing for the petitioner would submit that, since the Review Petitioner preferred a Special Leave Petition before the Hon'ble Supreme Court against the order passed in S.A. No.603 of 2025, she was unable to file this Review Application on time. Hence the delay of 38 days occurred in filing this Review Application. He further submits that the delay is neither wilfull nor wanton and prays for allowing the present petition.

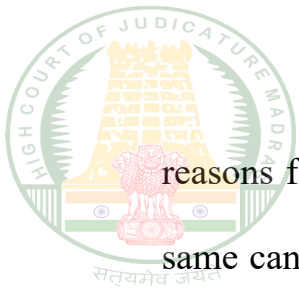
3. On the other hand, Mr. G.R.Deepak, the learned counsel appearing for the respondent submitted that the reasons attributed in the affidavit filed in support support of this petition is not sufficient to allow the said petition and that there is no merit in the Review Application and prays for dismissal of the said application.

4. Heard on both sides. Records perused.



5. On a perusal of the records it is seen that the Special Leave Petition filed before the Hon'ble Supreme Court by the Review Petitioner was dismissed by holding that the Court was not inclined to interfere with the impugned order passed in the Second Appeal. The Hon'ble Supreme Court passed the said order on 09.01.2026 and the present Application is filed with a delay of 38 days. Each and every day delay was not explained by the review petitioner. Further under Under Order 47 Rule 1 CPC, a judgment may be open to review *inter alia* if there is a mistake or an error apparent on the face of the record. An error which is not self evident and has to be detected by a process of reasoning, can hardly be said to be an error apparent on the face of the record justifying the court to exercise its power of review under Order 47 Rule 1 CPC. In exercise of the jurisdiction under Order 47 Rule 1 CPC, it is not permissible for an erroneous decision to be "reheard and corrected". A review petition has a limited purpose and cannot be allowed to be "an appeal in disguise".

6. In the guise of review, the petitioner cannot be permitted to re agitate and re argue the questions which have already been addressed and decided (**Ref: 2020 (2) SCC 677 Shanti Conductors (P) Ltd., vs. Assam State Electricity Board**). In the present application, the review petitioner would contend that in the Second Appeal this Court had modified the cost imposed, which is the subject matter of the Review Petition. This Court has given valid



reasons for modifying the cost imposed upon the respondent and therefore, the same cannot be tested under a Review Petition, which will amount to re agitate and re argue the issue which has been already addressed and decided. Further, the review cannot be treated as an appeal in disguise. It is wholly unjustified and exhibits a tendency to rewrite a judgment by which the controversy has been finally decided.

7. In view of the above discussions, this Civil Miscellaneous Petition is dismissed. Consequently, the Review Application in SR stage is rejected.

10-07-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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K.GOVINDARAJAN THILAKAVADI J.

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AND
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10-07-2026