

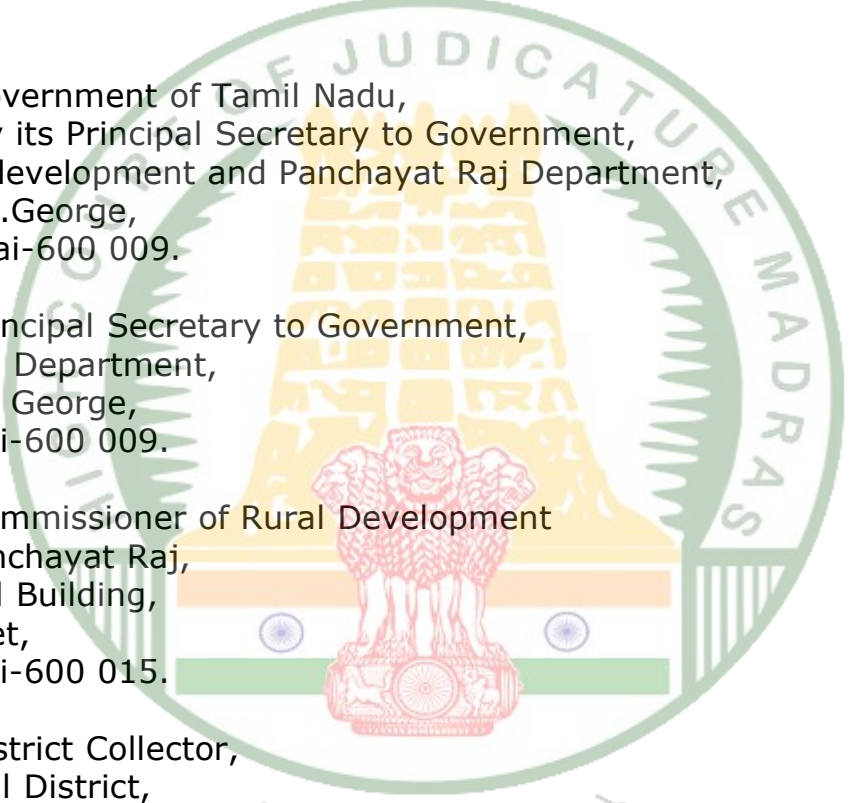
IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.09.2017

CORAM

THE HONOURABLE MR. JUSTICE **V.PARTHIBAN**

Rev.A.No.103 of 2015

- 
- 1.The Government of Tamil Nadu,
rep. by its Principal Secretary to Government,
Rural development and Panchayat Raj Department,
Fort.St.George,
Chennai-600 009.
- 2.The Principal Secretary to Government,
Finance Department,
Fort St. George,
Chennai-600 009.
- 3.The Commissioner of Rural Development
and Panchayat Raj,
Panagal Building,
Saidapet,
Chennai-600 015.
- 4.The District Collector,
Dindigul District,
Dindigul
- सत्यमेव जयते..
- Vs.
- Petitioners

- 1.A.Sethu,
Deputy Block Development Officer(Retd),
1/18, Rice Mill Road,
Old Batlagundu,
Nilakottai Taluk,
Dindigul-624 202.
- 2.S.Govindaraj,
Junior Assistant(Retd),

1-16-25H-66, Gandhi Nagar,
MS Street, Batlagundu,
Nilakottai Taluk,
Dindigul-624 202.

3.The Principal Accountant General(A&E),
Tamilnadu,
No.361, Anna Salai,
Chennai-600 018.

. Respondents

Petition filed under Order 47, Rule with Section 114 of Civil Procedure Code to review the order dated 23.07.2014 made in W.P.No.19630 of 2014 filed by the respondents 1 & 2/writ petitioners herein before this Court.

For Petitioners .. Mr.T.M.Pappiah

For Respondents ..Mr.V.Suthakar

ORDER

The Review Application has been filed against the order passed by this Court in W.P.No.19630 of 2014 dated 23.07.2014, in and by which, the writ petition was allowed directing the petitioners/ respondents in WP.No.19630 of 2014 to count 50% of the services rendered by the respondents herein, as part time employees for the purpose of payment of pension. The said writ petition was allowed on the basis of the orders passed by this Court in W.P.Nos.2387, 26583, 26785 and 28878 of 2013 dated 27.06.2014. As against the

orders passed by this Court in the above said writ petitions, the petitioners herein have filed writ appeals and they were rejected by confirming the orders passed by the learned Single Judge.

2.Asfar as the present review application is concerned, the same is being filed only on the ground that the then Additional Government Pleader's consent was taken for passing the order. Such a review petition is not permissible in law, since the consent given by the learned Additional Government Pleader is not concessional. The writ petition was allowed, primarily on the basis of the earlier order passed in similar writ petitions and the issue is also squarely covered in favour of the writ petitioners. Therefore, the learned Additional Government Pleader has rightly given consent for passing similar orders. Such consent being given cannot be a ground to review the matter. Other than the said reason, the review petitioner has not come out with any other ground and there is no error apparent on the face of the record.

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3.In the said circumstances, the review petition does not fall within the scope of Section 47 of the Civil Procedure Code. Therefore, the same is liable to be rejected. Accordingly, the review petition is dismissed as devoid of merits. No costs. In view of the dismissal of

the review petition, there is no impediment for the respondents in the Contempt Petition to pass orders in compliance with direction passed in the writ petition, post the Contempt Petition for reporting compliance on 21.09.2017.

06.09.2017

Index:Yes/No

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V.PARTHIBAN, J.

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