

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **09.07.2015**

CORAM:

The Honourable Mr.Justice K.RAVICHANDRABAABU

Review Application No.18 of 2015
in C.R.P.(PD) .No.4751 of 2014
& M.P.No.1 of 2015

Sivakumar

...Petitioner

-Vs.-

1. Sagoundalammalle
2. Peroumal
3. Vasantha @ Pokkilai

...Respondents

Prayer :- Review Petition filed under Order 47 Rules 1 and 2 read with Section 114 of CPC against the order dated 11.12.2014 in C.R.P.(PD) No.4751 of 2014.

For Petitioner

: Mr.N. Murali Kumar
for M/s. Mcgan Law Firm

ORDER

This review application is filed by contending that the dismissal of Civil Revision Petition No. 4751 of 2014 is not correct on merits.

2. The grounds raised in this review petition would show that the petitioner is trying to re-argue the matter once again on merits, which, in my considered view, cannot be permitted under the review jurisdiction. Needless to say that this Court can exercise the power of review only when an error apparent on the face of the order is brought to its notice.

3. Further, in the decision of the Honourable Supreme Court reported in **2014(5) SCC 75 (Subramanian Swamy v. State of T.N.)**, it has been observed in paragraph 52 as follows:-

"52 Thus, even an erroneous decision cannot be a ground for the court to undertake review, as the first and foremost requirement of entertaining a review petition is that the order, review of which is sought, suffers from any error apparent on the face of the order and in absence of any such error, finality attached to the judgment/order cannot be disturbed. (*Vide - Rajender Kumar Vs. Rambhai - 2007 (15) SCC 513 : 2010 (3) SCC (Cri) 584 : AIR 2003 SC 2095*)".

4. I find no such error in the earlier order passed in the above Civil Revision Petition and therefore this review petition is dismissed as not

maintainable. Consequently, the connected miscellaneous petition is closed. No costs.

09.07.2015

Index:Yes/No
Internet:Yes/No
Tr/

K. RAVICHANDRABAABU, J

Tr

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