

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.10.2015

CORAM:

THE HON'BLE MR.JUSTICE SATISH K. AGNIHOTRI
AND
THE HON'BLE MR.JUSTICE K.K.SASIDHARAN

Review Application No. 305 of 2015

1. The Government of Tamil Nadu,
rep. By its Secretary to
Government (PP.2) Department,
Fort St. George, Chennai.9.

2. The District Collector,
Sivaganga District.

.. Petitioners

vs.

K.R. Arumugam

.. Respondent

Review Application filed under Order 47 Rule 1 of C.P.C. read with
Section 114 of CPC to review the order dated 09.12.2014 passed in
W.A.No. 1421 of 2014.

For applicants : Mr. P.H. Arvind Pandian
Additional Advocate General
assisted by
Mr. N. Sakthivel
Government Advocate

For respondent : Mr. L. Chandrakumar

ORDER

(Order of the Court was made by **K.K.SASIDHARAN, J.**)

This is an application to review the judgment in W.A.No. 1421 of 2014 on the ground that certain documents were not taken note of while dismissing the intra-Court Appeal.

2. Heard the learned Additional Advocate General on behalf of the applicants and the learned counsel for the respondent.

3. The Government of Tamilnadu sanctioned Freedom Fighters Pension to the respondent. The order was subsequently cancelled on the ground that the respondent furnished false information with regard to his date of birth. The order was challenged before the Writ Court in W.P.No.6497 of 2002. The learned single Judge considered the

documents produced by the respondent and allowed the Writ Petition. Feeling aggrieved, the applicants filed intra-Court Appeal in W.A.No.1421 of 2014. The Writ Appeal was dismissed by judgment dated 09.12.2014. Since follow up action was not taken up by the applicants to pay the pension amount and arrears, the respondent filed a Contempt Petition. It was only during the currency of the Contempt Petition, the applicants have come up with this Review Application.

4. The applicants wanted this Court to review the judgment on the basis of the endorsement made in the ration card and the identity card issued by the Election Commission. The applicants had no case that the respondent was referred to a Medical Board and his actual age was declared medically. The documents now relied on by the applicants were all considered by the Writ Court earlier and a finding was rendered. The applicants now wanted the documents to be considered afresh. In short, the attempt now is to re-hear the very Appeal which was dismissed by this Court on merits. We are of the view that the applicants have not made out a case to review the Judgment in W.A.No.1421 of 2014.

5. In the upshot, we dismiss the Review Application. No costs.

(S.K.A.J.) (K.K.S.J.)
29 October, 2015

mra

Index : Yes/No

Internet : Yes/No

To

1. The Government of Tamil Nadu,
rep. By its Secretary to
Government (PP.2) Department,
Fort St. George, Chennai.9.
2. The District Collector,
Sivaganga District.

SATISH K. AGNIHOTRI, J.

and

K.K.SASIDHARAN, J.

mra

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