

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**Dated : 28.07.2015**

**CORAM:**

**THE HON'BLE MR. JUSTICE M.DURAI SWAMY**

**Review Application No.90 of 2015  
in S.A.No.970 of 2013**

A.M.Natarajan

... Review Applicant/Appellant

**Vs.**

1.J.Venkatesan

2.R.Venkatesan

... Respondents/Respondents

Review Application is filed under Order 47 Rule 1 read with Section 114 of Civil Procedure Code against the judgment and decree dated 18.03.2014 made in S.A.No.970 of 2013.

For Review Applicant : Mr.R.Thirumalai

For Respondents : Mr.A.Gouthaman

**J U D G M E N T**

The appellant in the Second Appeal has filed the above Review Application.

2.By judgment dated 18.03.2014, this Court dismissed the Second Appeal and confirmed the judgments and decrees of the Courts below.

3.The learned counsel appearing for the review applicant submitted that the applicant is aggrieved over the findings of this Court in paragraph no.10 of the judgment.

4.In paragraph no.10 of the judgment, this Court had discussed about the signature of the first defendant found in the suit agreement. The findings of this Court are based on the observations given by the Courts below. It cannot be termed as an error apparent on the face of the record warranting interference in the review application. If the applicant is aggrieved over the findings at paragraph no.10 of the judgment, the remedy open to him is to file an appeal and not a review application under Order 47 of the Civil Procedure Code.

5.The learned counsel appearing for the review applicant, in support of his contention, relied upon a judgment reported in ***Manu/TN/4351/2011 [Janab S.Sikandar Vs. Janab M.Asanar]***.

6.However, since the facts and circumstances of the said case differs from the case on hand, the judgment relied upon by the learned counsel for the review applicant is not applicable to the present case.

7. In these circumstances, I do not find any error apparent on the face of the record warranting interference in the review application under Order 47 of the Civil Procedure Code. The Review Application is devoid of merits and the same is liable to be dismissed. Accordingly, the Review Application is dismissed. No costs.

Index : No  
Internet : Yes  
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**M. DURAISWAMY,J.**  
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