

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.06.2016

CORAM

THE HONOURABLE MR. JUSTICE T.S.SIVAGNANAM

W.M.P.No.17323 and 17324 of 2016

in

Rev.Appl.SR.Nos.69770 and 69769 of 2016

in

W.P.Nos.2315 and 7061 of 2016

W.M.P.No.17323 of 2016

W.S.Industries (India) Ltd.,

Rep. by its Authorized Signatory and CFO Mr.Swaminathan

No.108, Mount Poonamallee Road

Porur, Chennai – 600 116, TN

... Petitioner

Vs.

1. The Regional Provident Fund Commissioner II
The Employees Provident Fund Organisation
Regional Office, Tambaram
No.3, Rajaji Salai, Chennai – 600 045
Tamil Nadu
2. The Punjab National Bank
Large Corporate Branch
Rayala Towers, 3rd Floor
Anna Salai, Chennai
Tamil Nadu
3. Indian Overseas Bank
Commercial and Institutional Credit Branch
98A Dr.Radhakrishnan Salai
Mylapore, Chennai – 600 004
Tamil Nadu
- 4.State Bank of India
Commercial Branch
Bombay Mutual Building

232, NSC Bose Road
Chennai – 600 001
Tamil Nadu

...Respondents

Review Application filed under Order 47 Rule 1 read with Section 114 of the Civil Procedure Code praying to review the order passed in W.P.No. 2315 of 2016 dated 24.03.2014.

W.M.P.No.17324 of 2016

W.S.Industries (India) Ltd.,
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Vs.

The Regional Provident Fund Commissioner II
The Employees Provident Fund Organisation
Regional Office, Tambaram
No.3, Rajaji Salai, Chennai – 600 045
Tamil Nadu

... Respondent

Review Application filed under Order 47 Rule 1 read with Section 114 of the Civil Procedure Code praying to review the order passed in W.P.No. 7061 of 2016 dated 24.03.2014.

For Petitioner : Mr. Vaibhav

COMMON ORDER

Heard Mr.Vaibhav, learned counsel for the petitioner.

2. Though the applications for condonation of delay alone have been listed, this Court heard the learned counsel for the petitioner on the merits as well.

3. The learned counsel for the petitioner submitted that the counsel, who appeared for the writ petitioner earlier, had failed to bring to the notice of this Court the decision of the Supreme Court in ***Raheja Universal Limited Vs. NRC Limited and Others*** reported in **(2012) 4 Supreme Court Cases 148**.

4. In my view, this could hardly be a reason to review an order and the review jurisdiction cannot be exercised to re-argue the matter nor could the issue pointed out by the petitioner be termed as an error apparent on the face of the record. What the petitioner indirectly seeks to do is to re-argue the matter and the grounds raised by the petitioner are the grounds, which have to be raised before the appellate Court, if the petitioner is desirous of challenging the order as it was never canvassed before me. Furthermore, the change of counsel is no more a ground to review the order. Hence, on the grounds raised by the petitioner there is no error pointed out which is apparent on the face of the record. A review petition cannot be an appeal in disguise.

Accordingly, while dismissing the petitions for condonation of delay, review applications shall stand rejected at the SR stage for reason assigned.

16.06.2016

gpa

To

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Tamil Nadu
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Tamil Nadu

T.S.SIVAGNANAM.J.,

gpa

W.M.P.Nos.17324 and 17323 of 2016
Rev.Appl.No.69769 and 69770 of 2016 in
W.P.Nos.7061 and 2315 of 2016

16.06.2016