

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 18.08.2017

CORAM:

THE HONOURABLE **MR.JUSTICE K.K.SASIDHARAN**
and
THE HONOURABLE **MR.JUSTICE M.V.MURALIDARAN**

Review Application No.111 of 2017 in
W.P.No.2891 of 2014

Dr.K.Sundaravadivelu

...Petitioner

Vs.

1.Union of India, Rep. by the Director,
Central Institute for Cotton Research
Shankar Nagar, Nagpur.

2.Project Coordinator
Cotton Improvement and Head Regional Station,
Central Institute for Cotton Research
Coimbatore.

3.The Registrar,
Central Administrative Tribunal
Madras Bench, Chennai -104.

... Respondents

Review Application filed under Order 47 Rule 1 read with Section
114 of C.P.C., to review the order made in W.P.No.2891 of 2014 dated
27.11.2014.

For Petitioner : Mr.P.Ganesan

For Respondents : Mr.M.T.Arunan for R1 and R2

ORDER**K.K.SASIDHARAN,J.**

The petitioner has come up with this review application, to review the order, dated 27 November, 2014 in W.P.No.2891 of 2014, dismissing the writ petition by confirming the order passed by the Central Administrative Tribunal.

2. We have heard the learned counsel for the petitioner.

3. The only question raised by the petitioner relates to the finding that the Original Application was barred by limitation. It is the case of the petitioner that he has not received the communication, dated 22 July, 2006 with regard to rejection of his claim for promotion. The non-receipt of communication, dated 22 July, 2006 was projected as the reason for filing the writ petition belatedly.

4. The re-joinder filed by the petitioner in W.P.No.2891 of 2014 contained a clear statement that the petitioner has received the communication dated 22 July, 2006. According to the petitioner, there was no reason given by the second respondent in the communication dated 22 July, 2006. However, the fact remains that the petitioner

received the said communication dated 22 July, 2006. However, he filed the Original Application only in the year 2011. The Tribunal was therefore correct in dismissing the Original Application. This Court has given a clear finding on the basis of records that the Central Administrative Tribunal was correct in dismissing the Original Application on the ground of delay and laches.

5. The petitioner now seeks review on the basis of the very same materials, which were produced by him in W.P.No.2891 of 2014. The issue raised by the petitioner in this review application has already been answered by this Court and the same is also supported by rejoinder filed by the petitioner in W.P.No.2891 of 2014. We, therefore, do not find any reason to entertain this review application by exercising the review jurisdiction under Order 47 Rule 1 of the Code of Civil Procedure.

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

(K.K.SASIDHARAN.,J.) (M.V.MURALIDARAN.,J.)
18 August 2017

svki

K.K.SASIDHARAN.,J.
and

M.V.MURALIDARAN.,J.
(svki)

To

- 1.Union of India, Rep. by the Director,
Central Institute for Cotton Research
Shankar Nagar, Nagpur.
- 2.Project Coordinator
Cotton Improvement and Head Regional Station,
Central Institute for Cotton Research
Coimbatore.
- 3.The Registrar,
Central Administrative Tribunal
Madras Bench, Chennai -104.



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W.P.No.2891 of 2014

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