

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 08.02.2018

CORAM:

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

Review Application (Writ) No.13 of 2018
in W.P.No.23605 of 2017

R.Sarathkumar

... Applicant

v.

- 1 The Chief Electoral Officer
Tamilnadu Public (Election) Department
Secretariat, Fort St. George
Chennai-600 009
- 2 The Project Director
DRDA, Thoothukudi & Appellate Committee on
Sezire for Tamilnadu Assembly Election 2015
Thoothukudi
- 3 The District Election Officer & The Collector
Thoothukudi District
District Collectorate
Thoothukudi 628 101
- 4 The Electoral Officer
215 Thiruchendur Legislative Constituency
cum Revenue Divisional Officer
RDO Office, Thoothukudi
Thoothukudi District

... Respondents

Review Application filed under Order 47 Rule 1 of the Civil Procedure

Code praying to review the order dated 01.09.2017 passed by this Court in W.P. No.23605 of 2017.

For Applicant : Mr.K.Ravi

ORDER

The Review Applicant has filed the Writ Petition to issue a writ of mandamus directing the respondents to forthwith refund a sum of Rs.9,00,000/- [Rupees nine lakhs only] to him, by cheque or Demand Draft drawn in his favour.

2. According to the Review Applicant, the 4th respondent wrote a letter dated 03.04.2017 to him stating that the 2nd respondent has ordered that a sum of Rs.9,00,000/- seized from the Review Applicant be handed over back to the Review Applicant, since the same had been proved to be Review Applicant's personal money. Thereafter, by letter dated 19.04.2017, the Review Applicant informed the 4th respondent, that it would be illegal to accept demonetized currency notes and therefore, he was unable to accept the said sum of Rs.9,00,000/- seized from him in the demonetized currency notes of Rs.500/- and Rs.1000/-.

3. The Review Applicant has filed the Writ Petition seeking a

direction to the respondents to return the amount by way of cheque or Demand Draft.

4. While disposing of the Writ Petition, this Court followed the judgment of the Hon'ble Supreme Court of India dated 16.02.2016 made in Writ (Civil) No.906 of 2016, which reads as follows:-

" ... We further direct that no other Court shall entertain, hear or decide any Writ Petition/proceedings on the issue or in relation to or arising from the decision of the Government of India to demonetize the old notes of Rs.500/- and Rs.1000/- as the entire issue in relation thereto is pending consideration before this Court in the present proceedings."

In view of the order passed by the Apex Court, liberty was given to the Writ Petitioner to approach the Hon'ble Supreme Court of India seeking for the relief sought for in the Writ Petition.

5. As against the order passed in the Writ Petition, the petitioner has filed a Writ Appeal in W.A.No.1254 of 2017 and on 29.01.2018, withdrew the Writ Appeal with liberty to file a Review Application before this Court.

6. For the reasons stated above, I do not find any error

apparent on the face of the record warranting interference in the Review Application. The Review Application is devoid of merits and is liable to be dismissed. Accordingly, the Review Application is dismissed. No costs.

08.02.2018

Index : No

Note : Issue the copy of the order by 09.02.2018

Speaking Order/Non Speaking Order

Rj

To

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M.DURAISWAMY,J

Rj



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