



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.08.2018
(Reserved on 20.06.2018)

WEB COPY

CORAM :

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

Review Application(MD)No.46 of 2018
in
CRP(MD)No.308 of 2015

1) J. Shanthi
2) Minor Saranya
3) Minor Manikandan ... Petitioners
(RR2 & 3 Minors Rep. by R1)

vs.

1) R.M. Ananthan
2) N. Manickam ... Respondents

Review Application filed under Order 47 Rule 1 of CPC read with Section 114 CPC, against the order dated 02.03.2018 made in CRP(MD) No.308 of 2015 on the file of this Hon'ble Court.

Prayer in CRP(MD).No.308/ 2015 :

Civil Revision Petition is filed under section 115 of the Civil Procedure Code, against the Fair and Decretal order passed by the learned Principal District Judge, Pudukkottai in I.A.NO.43 of 2013 in A.S.SR.No.523 of 2013, dated 17.09.2014.

For Petitioners : Mr.C.Gangai Amaran

ORDER

The present review application has been filed contending that the 1st petitioner being a lady and having two children with no income whatsoever, is finding hard to meet both ends and further she got only the house property which is in dispute and if the same is taken away by the respondents, virtually the 1st petitioner and her children would be on street. Moreover, the amount of sale consideration fixed was also too low compared to the extent and locality where the property in question is situated and after the death of her husband, the 1st petitioner is having no income and only taking advantage of the death of the 1st petitioner's husband and without giving any opportunity for redeeming the amount more fully returning the amount, the respondents took steps causing severe hardship and due to financial crisis, she could not able to settle the amount.



2. Though the above application has been filed on sympathetic grounds, it is the settled law that the contentions raised and decided in the main petition cannot be re-agitated under the guise of review petition. The scope of review is, for review of error apparent only and not to review the judgment even if the parties are in a position to satisfy the Court that the order under review is erroneous order. In the present case, there is no error apparent in the order under review either on law and facts and therefore, the present review application fails and the same is accordingly dismissed. No costs.

Sd/-
Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar(CS-II)

To

The Principal District Judge,
Pudukottai.

+1cc to M/S.D.Rameshkumar, Advocate SR.No. 77703

Rev.Applc(MD)No.46 of 2018
09.08.2018

bala
JM/SKN/SAR 2/27.08.2018/2P/3C