



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.08.2019

CORAM:

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

and

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

Review Application.(MD). No.145 of 2019

in

Writ Appeal.(MD).No.578 of 2019

M.Kalarani ... Petitioner/1st respondent/petitioner

Vs.

1. The Director,
Ministry of Home Affairs/Crih Mantralya,
FFR Division, SZ Section 2nd Floor,
NDCC - II, Jaisingh Road,
Parliament Street,
New Delhi - 1. ... 1st respondent/appellant/1st respondent
- 2.The Principal Secretary,
Government of Tamil Nadu,
Public (Political Pension-I) Department,
Secretariat, Chennai 600 009.
- 3.The District Collector,
Ramanathapuram District,
Ramanathapuram.
... Respondents 2 & 3 /
Respondents 2 & 3 /Respondents

Review Application filed under Order 47 r/w Section 114 of CPC to review the order dated 09.07.2019 in W.A.(MD)No.578 of 2019, on the file of the Madurai Bench of Madras High Court.

For Review Petitioner : Mr.R.Saravanan

O R D E R

(The Order of the Court was made by **K.RAVICHANDRABAABU, J.**)

This Review Petition is filed seeking to review the order passed in W.A.(MD)No.578 of 2019, dated 09.07.2019.

2.The review petitioner is the first respondent in the above writ appeal and the writ petitioner before the writ Court. The matter pertains to Freedom Fighter Pension. The writ petitioner as



the daughter of the person by name Muthuservai sought for grant of freedom fighter pension by claiming that her father was a freedom fighter. The writ Court considered the above claim and granted the relief to the petitioner. However, on appeal by the first respondent/Ministry of Home Affairs, Government of India, this Court allowed the writ appeal and set aside the order of the writ court specifically by giving a finding that the petitioner's father was never recognized as freedom fighter either by the State Government or by the Central Government and on the other hand, his claim for pension ended by issuing the proceedings dated 31.05.2000, which was allowed to become final by the petitioner's father himself, since he has not chosen to challenge the same or response by adducing material evidence before the first respondent/writ appellant. We have also found that only when pension is granted to a person, the same can be extended to his legal heirs and on the other hand, if no such pension was granted at all, his legal heirs cannot seek it as the first time.

3.Now, the present review is filed by raising very many contentions touching upon the merits of the order passed by this Court in the above writ appeal without there being any error apparent on the face of the order. Needless to state that the review jurisdiction is with limited scope and therefore, the same can be exercised only when it is brought to the notice of the Court and established that there is an error apparent on the face of the order. Since the grounds raised in this review are nothing but re-agitating the matter once again on merits, we do not find that the present review can be entertained. No doubt, the review petitioner sought to rely upon a letter sent by the writ petitioner on 16.08.2012, which was not placed before the Court earlier. We do not think even such letter would help the writ petitioner in any manner, as the findings rendered by us that the father of the writ petitioner himself has abandoned his claim, cannot be altered going by the said communication sent by the writ petitioner.

4.Accordingly, we find no ground to review the order passed already in W.A.(MD)No.578 of 2019, dated 09.07.2019. Thus, the Review Petition is dismissed. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar (CS)



To

1. The Director,
Ministry of Home Affairs/Crih Mantralya,
FFR Division, SZ Section 2nd Floor,
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Parliament Street,
New Delhi - 1.

2. The Principal Secretary,
Government of Tamil Nadu,
Public (Political Pension-I) Department,
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3. The District Collector,
Ramanathapuram District,
Ramanathapuram.

+1 cc to Mr.B.Kumaresan , Advocate SR.No.84226

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KM/ (03.10.2019) 3P 5C