



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 14.06.2019

CORAM:

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

and

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

Review Application. (MD) .No.78 of 2019

and

C.M.P. (MD) No.3223 of 2019

in

Writ Appeal. (MD) .No.328 of 2011

N.F.S. Abdul Kadhar

.. Review Petitioner/Appellant

Vs.

1. The Director of Medical Education,
Kilpauk, Chennai 600 010.

2. The Dean,
Madurai Medical College,
Madurai.

.. Respondents / Respondents

Review Application filed under Section 114 r/w Order XLVII, Rule 1 of CPC to review the order dated 08.03.2011 in W.A. (MD) No.328 of 2011, on the file of the Madurai Bench of Madras High Court.

PRAYER IN WA(MD)NO.328 OF 2011:

The Writ Appeal filed under Clause 15 of the Letter Patent against the order dated 29.10.2008 in Writ Petition (MD) No.5412 of 2008 on the file of this Court.

PRAYER IN WP(MD)NO.5412 OF 2008:

Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to give any one of the post to the petitioner on compassionate grounds for the death of Rehana Sulthan Batcha.

For Review Petitioner : Mr.M.Mohanasundaram

For respondents : Mr.V.R.Shanmuganathan
Special Government Pleader

**O R D E R**

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

This Review Petition is filed challenging the order made in W.A. (MDNo.328 of 2011, dated 08.03.2011.

2. Heard the learned counsel appearing for the review petitioner and the learned Special Government Pleader appearing for the respondents and perused the materials placed before this Court.

3. The petitioner herein, as the writ petitioner sought for Mandamus directing the respondents to give compassionate appointment. The writ petition was dismissed by the Writ Court and challenging the same, a writ appeal was filed in W.A. (MD) No. 328 of 2011. The Division Bench of this Court, after hearing both sides, dismissed the writ appeal, whereby confirming the order passed by the Writ Court.

4. The present review petition is filed raising very many grounds, which are nothing, but like re-arguing the merits of the matter once again. As the scope of review jurisdiction is very limited and the petitioner is not entitled to re-argue the matter under the guise of filing a review, we find that the grounds raised herein are not the grounds sustainable under the review jurisdiction. If at all the petitioner is aggrieved, he ought to have challenged the order passed by the Division Bench before the Hon'ble Apex Court, at the appropriate time. Without doing so, filing a review, that too, by raising the very same contentions, as raised before the Writ Court as well as writ appeal, cannot be entertained.

5. Accordingly, we find no reason to entertain this Review petition. Thus, the Review Petition is dismissed. No costs. Consequently, connected Miscellaneous Petition is also dismissed.

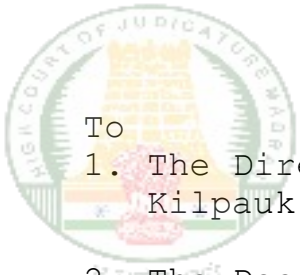
Sd/-

Assistant Registrar (AD)

// True Copy //

Sub Assistant Registrar (CS)

rj2



To

1. The Director of Medical Education,
Kilpauk, Chennai 600 010.

2. The Dean,
Madurai Medical College,
Madurai.

+ 1 CC to The Special Government Pleader SR.No.69209

**Review Application.(MD) . No.78 of 2019
and
C.M.P. (MD) No.3223 of 2019
in
Writ Appeal.(MD) .No.328 of 2011**

14.06.2019

KS (24.06.2019) 3 P 4 C