



Review Appln.No.82 of 2021

Review Appln.No.82 of 2021

P.VELMURUGAN,J.

The Writ Petition in W.P.No.11327 of 2006 was filed by the respondent seeking for writ of certiorarified mandamus to quash the order passed by the third respondent in Lr.No.5791/Admin.1/A3/F.WP.6688/05 dated 17.05.2005 and also to direct the respondents 1 to 4 to re-fix the pay by giving the petitioner 5% increase in the pay fixation as per (Per) B.P. (F.B) No.106 Secretariat Branch dated 03.11.1994 on being promoted from the post of Foreman Grade-I (Selection Post Junior Engineer Grade II) from the date of his promotion on 21.04.1997 till the date of his retirement and also to direct them to pay him the arrears of the pension on the revised pay and also other accumulated terminal benefits and retirement benefits such as gratuity, D.C.R.G. etc., together with interest thereon till the date of payment.

2. Even though the matter was pending from the year 2006, when the matter was posted before this Court on 21.12.2020, this Court after giving consideration to the facts and circumstance of the case, allowed the writ petition. Since the order of this Court was not complied with, the petitioner in W.P.No.11327 of 2006 had



issued a lawyer's notice to the applicants/respondents. Thereafter, the applicants/respondents have filed the present review application in the month of June 2021 and the petitioner in W.P.No.11327 of 2006 has filed the contempt petition in Cont.P.No.1166 of 2021 in the month of August 2021.

3. The learned Counsel for the applicants/respondents submitted that in the lower post, the petitioner in W.P.No.11327 of 2006 has got the higher scale of pay and therefore, the Regulation under 33(b) of Tamil Nadu Electricity Board Service Regulations would not attract. Admittedly, the applicants/respondents have not filed any counter or objection in the main writ petition which was pending for more than 14 years before this Court and after the matter was decided by this Court, the applicants/respondents have come forwarded with the present review application that too after the receipt of the lawyer's notice. However, the applicants/respondents have not pointed out any error apparent on the face of the records. Though the learned counsel for the applicants/respondents submits that the facts were not brought before this Court on the earlier occasion and now the facts have been brought before this Court and the same may be considered, the grounds raised by the applicants/respondents are not reasonable and there is no scope for



Review Appln.No.82 of 2021

review and the applicants/respondents have not pointed out any error apparent on the face of the records. Even otherwise, if they are aggrieved, they should have filed an Appeal and not review.

4. This Court finds that the applicants have not made out any ground for reviewing the order passed by this Court in W.P.No.11327 of 2006 dated 21.12.2020. Hence, the review application is dismissed.

22.02.2022

ksa-2



WEB COPY



Review Appln.No.82 of 2021

P.VELMURUGAN,J.

ksa-2

Review Appln.No.82 of 2021

22.02.2022