

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.03.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

Review Application No.124 of 2020
in W.P.No.7818 of 2020

R.Dhanasekaran

...

Applicant/
Petitioner

Vs

1.National Disaster Management Authority,
rep. by its Member Secretary,
NDMA Bhawan,
A-1, Safdarjung Enclave,
New Delhi, DL-110 029.

2.Tamil Nadu State Disaster Management Authority,
rep. by Commissioner,
Commissionerate of Revenue Administration
and Disaster Management,
Ezhilagam, Chempauk,
Chennai, TN-600 005.

... Respondents/
Respondents

Prayer: Review Application under Order 47 Rules 1 and 2 read with
Section 114 of the Code of Civil Procedure to review the judgment

dated 03.08.2020 in W.P.No.7818 of 2020.

For Petitioner : Mr.P.Raja
For Respondents : Mr.R.Rajesh Vivekananthan
for respondent No.1

ORDER

(Order of the Court was made by
SENTHILKUMAR RAMAMOORTHY,J.)

The review applicant seeks review of the order dated 03.08.2020 in W.P.No.7818 of 2020. In the said writ petition, the review applicant prayed for a direction to the respondents to make payments in terms of Section 12 of the Disaster Management Act, 2005 to members of the public who are affected by the Covid-19 pandemic. By the order sought to be reviewed, it was concluded that monetary relief under Section 12 of the Disaster Management Act, 2005 has not been extended to those affected by the Covid-19 pandemic. On the other hand, various other relief measures were extended as detailed in paragraph 12 of the said order.

2. Learned counsel for the review applicant submits that the said order is not in line with a subsequent judgment of the Hon'ble Supreme Court dated 18.08.2020. He further states that certain facts

were not brought to the attention of the Court by the National Disaster Management Authority. He further states that the generic guidelines issued earlier under Section 12 apply to the Covid-19 pandemic.

3. Upon considering the submissions made by learned counsel for the review applicant and on examining the order impugned, we find that the review applicant has failed to establish that there is an error apparent on the face of the record in the order impugned. The review applicant has also failed to make out that there are any other sufficient grounds to review the said order. The grounds raised by the review applicant do not qualify as valid grounds to review the order especially in view of the limited jurisdiction exercised in review.

4. Accordingly, Review Application No.124 of 2020 is dismissed. There will be no order as to costs. Consequently, W.M.P.No.24455 of 2020 is closed.

WEB COPY (S.B., C.J.) (S.K.R., J.)
12.03.2021

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To:

- 1.The Member Secretary,
National Disaster Management Authority,
NDMA Bhawan,
A-1, Safdarjung Enclave,
New Delhi, DL-110 029.
- 2.The Commissioner,
Tamil Nadu State Disaster Management Authority,
Commissionerate of Revenue Administration
and Disaster Management,
Ezhilagam, Chempauk,
Chennai, TN-600 005.



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Review Application No.124 of 2020

THE HON'BLE CHIEF JUSTICE
AND
SENTHILKUMAR RAMAMOORTHY, J.

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