



REV.APLW.No.105 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.10.2022

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

REV.APLW.No.105 of 2022

The Engineer in Chief (Buildings),
Chief Engineer (Buildings),
Chennai Region Chepakkam,
Chennai - 600 005.

...Petitioner

Vs

C.Kuppuswamy

...Respondent

Prayer: Review Application filed under Order XL VII Rule 1 of Civil Procedure Code to review the order dated 10.01.2022 made in W.P.No. 39774 of 2015.

For Petitioner : Mr.S.Ravichandran,
Additional Government Pleader

For Respondent : Mr.C.D.Johnson



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ORDER

WEB COPY The present application is filed seeking to review the order passed in W.P.No.39774 of 2015, dated 10.01.2022.

2. Two grounds have been raised in the Review Application. Firstly, that the department has not brought to the knowledge of this Court regarding the pendency of 17(b) charge memo and the order extending the services of the writ petitioner. Secondly, that the criminal case initiated against the writ petitioner in C.C.No.5565 of 2015 is still pending.

3. The grounds that were not canvassed before this Court while the Writ Petition came to be allowed, cannot be a subject matter for this Court to exercise its power of review. It is needless to point out that an application for review requires interference only in cases where there are apparent errors on the face of the order. Thus, having failed to raise the grounds when the Writ Petition was finally heard, cannot be a ground for reviewing the order.

4. Insofar as the second ground that the criminal case in C.C.No.5565 of 2015 is still pending is concerned, seems to be a mistake. By an order



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passed in CrI.O.P.No.237 of 2019, dated 05.04.2022, this Court had quashed the charge sheet in C.C.No.5565 of 2015. Hence, reviewing the order on this ground also is not feasible.

5. In the light of the above findings, there are no grounds to interfere with the final order passed in the Writ Petition. Accordingly, the present Review Application stands dismissed. No costs.

18.10.2022

Index:Yes/No
Internet:Yes/No
Speaking order/Non-speaking order
hvk

Note: Issue order copy on 26.10.2022

To

The Engineer in Chief (Buildings),
Chief Engineer (Buildings),
Chennai Region Chepakkam,
Chennai - 600 005.



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M.S.RAMESH,J.

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