



Review Application (Writ).No.147 of 2021
against W.P.No.3261 of 2020

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.03.2022

CORAM :

**THE HON'BLE MR. JUSTICE M.DURAI SWAMY
AND
THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI**

**Review Application (Writ).No.147 of 2021
against W.P.No.3261 of 2020**

C.Narayanan

.. Review Applicant

Vs.

- 1.The District Collector,
Kallakurichi District,
Kallakurichi.
- 2.The Commissioner,
Hindu Religious Charitable Endowment
Department,
Nungambakkam, Chennai.
- 3.The Assistant Commissioner,
Hindu Religious Charitable Endowment
Department,
Villupuram.
- 4.The Tahsildar,
Ulundurpet Taluk,
Ulundurpet,
Kallakurichi District.



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5.Srinivasan
6.Venkatesan
7.MArimuthu
8.Palani
9.Sahadevan
10.Dhandapani
11.Perumal
12.Muthuswamy
13.Kesavan
14.Kuppayee
15.Thailammal

.. Respondents

Review Application filed under Order 47 read with 114 of the Code of Civil Procedure against the order passed in W.P.No.3261 of 2020 dated 20.07.2021.

For Review Applicant : Mr.N.Naganathan

For Respondents : Mr.T.Arun Kumar,
Additional Government Pleader
(R1 to R4)

ORDER

(ORDER OF THE COURT WAS MADE BY M.DURAI SWAMY, J.)

The Writ Petitioner has filed the Review Application to review the order dated 20.07.2021 passed in W.P.No.3261 of 2020.

2.The petitioner filed the Writ Petition to issue a Writ of Mandamus to direct the respondents 1 to 4 to take necessary action



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against the encroachers and to remove the encroachment in the temple land in S.No.351/4 and 351/5 measuring an extent of 10.5 cents, Pugaipatti Village, Ulundurpet Taluk, Kallakurichi District.

3.The Division Bench of this Court, by order dated 20.07.2021, disposed of the Writ Petition finding that the 15th respondent was issued with patta in respect of S.No.351/8 and also observing that if the 15th respondent has encroached upon the property other than the extent to which she has been given patta, she can also be proceeded against.

4.The scope under Order 47 Rule 1 of the Code of Civil Procedure is limited. Unless there is an error apparent on the face of the record warranting interference in the judgment, the Review Application cannot be entertained. In the guise of Review Application, the review applicant cannot re-argue the matter. The Review Application cannot be treated as an appeal in disguise. The Review Applicant is not in a position to point out any error apparent on the face of the record warranting interference. In these circumstances, the Review Application is devoid of merits and



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the same is liable to be dismissed. Accordingly, the Review Application is dismissed. However, it is open to the review applicant to work out his remedy in accordance with law. No costs.

Index : Yes/No
va

**[M.D., J.] [T.V.T.S., J.]
28.03.2022**



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**M.DURAIWAMY, J.
and
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