



Rev.Appl.No.220 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.11.2022

CORAM :

THE HONOURABLE MR. JUSTICE S.S. SUNDAR

AND

THE HONOURABLE MRS. JUSTICE N. MALA

Rev.Appl.No.220 of 2022

against

W.A.No.1671 of 2022

K.Joyce Kumar

... Petitioner

Vs.

1.The District Collector,
Coimbatore District,
Coimbatore.

2.Tamil Nadu Civil Supplies Corporation Ltd.,
Valparai,
Coimbatore District – 642 127.

3.The Project Officer (T&C),
Tamil Nadu Corporation for Development of Women Ltd.,
Project Implementation Unit,
1067-A, Beema Illam, 1st Floor, Trichy Road,
Coimbatore – 18.

4.The District Revenue Officer,
Coimbatore,
Coimbatore District.

Page 1 of 5



Rev.Appl.No.220 of 2022

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5.The Secretary to Government,
Tamil Nadu Food and Corporation Department,
Chennai.

... Respondents

Prayer : Review Application filed under Order 47 Rule 1 read with Section 114 of Code of Civil Procedure to review the order dated 26.07.2022 made in W.A.No.1671 of 2022.

For Petitioner : Mr.M.Suresh
for Mr.S.Saravanan
For R1, R4 & R5 : Mrs.M.Geetha Thamaraiselvan
Special Government Pleader

ORDER

(Order of the Court was made by **S.S. SUNDAR, J.**)

This Review Application is filed by the appellant in the Writ Appeal. The Writ Appeal was dismissed by this Court by order dated 26.07.2022 on merits. The review applicant/petitioner has raised several grounds challenging the order on merits while seeking review of the order. Petitioner filed a writ petition in WP.No.23259/2019 challenging the order of 1st respondent dated 14.03.2019 rejecting the petition filed by the petitioner to restore the license granted to working people's organization which was earlier granted to run 10 Fair Price Shops but cancelled due to



Rev.Appl.No.220 of 2022

irregularities. Writ Petition was dismissed by order dated 11.04.2022. This

Court finding that Fair Price Shops have been allotted to others long back, that the malpractice and irregularities were found proved and that no evidence was placed to claim compensation, dismissed the Appeal by assigning reasons.

2.It is settled that review is not an appeal in disguise. The scope of review is restricted to error apparent on the face of the records or on the grounds permissible under Order 47 Rule 1 of Code of Civil Procedure. This Court is unable to find any valid ground to review the order passed by this Court earlier. This review cannot be considered as an appeal, since the grounds raised by the petitioner in this review require re-appreciation of facts and records. It is also settled that an application for review cannot be entertained if the Court has to look into the records. Several grounds are raised to the effect that this Court while disposing of the appeal has failed to consider certain materials in facts ignoring the limited scope of judicial review under Article 226 of the Constitution. A Division Bench of this Court in the case of *A.Jothiramalingam and Others V. The Executive*



Rev.Appl.No.220 of 2022

Officer/Joint Commissioner, Department of Hindu Religious and Charitable Endowments and Others in Reivew Application [MD] Nos.21

to 25/2016 [Madurai Bench] has considered the scope of review in the light of several precedents and held as follows:-

"20.It is a settled proposition of law that review is not an appeal in disguise and the Hon'ble Supreme Court has time and again reiterated that a review is by no means an appeal in disguise whereby an erroneous decision is reheard and corrected, but lies only for patent error. A judgment may be opened to review inter alia if there is a mistake or error apparent on the face of record. An error which is not self-evidence and has to be deducted by a process of reasoning, can hardly said to be error apparent on the basis of record justifying the Court to exercise its power of review under Order 47 Rule 1 CPC. Exercise of the jurisdiction under Order 47 Rule 1 CPC is not permissible for an erroneous decision to be reheard and corrected."

3.Hence, this Court finds no scope for review and accordingly, this review application is dismissed. No costs.

(S.S.S.R., J.) (N.M., J.)
15.11.2022

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Internet : Yes

Index : Yes / No

Page 4 of 5



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Rev.Appl.No.220 of 2022

S.S. SUNDAR, J.
and
N. MALA, J.

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Rev.Appl.No.220 of 2022

15.11.2022

Page 5 of 5