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Rev.Aplc(MD).Nos.96 to 98 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.07.2022

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THE HONOURABLE Ms. JUSTICE P.T. ASHA

Rev.Aplc(MD).Nos.96 to 98 of 2022

in

C.R.P.(PD)(MD).Nos.2652 & 2656 of 2014 and 873 of 2021

R-41, Srivilliputhur Agricultural Producers
Cooperative Marketing Society,
Through its Special Officer,
No.22, Pandit Jawaharlal Road,
Srivilliputhur,
Virudhunagar District.

... Rev. Petitioner in all Rev.Aplcs.

Vs

1.Indira

2.Revathy

... Respondents in all Rev.Aplcs.

Prayer in all Rev.Aplcs.: Review Applications filed under Order 47 rule 1 & 2 r/w Section 114 of Civil Procedure Code, praying to review the Common Order dated 06.12.2021 made in C.R.P.(PD)(MD)Nos.2652 & 2656 of 2014 and 873 of 2021 on the file of this Court and allow the Review Applications.

For Petitioner : Mr.L.George Paul Auto



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COMMON ORDER

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The Review Petitions are directed against the common order dated 06.12.2021 passed in C.R.P.(PD)(MD)Nos.2652 & 2656 of 2014 and 873 of 2021.

2.The Review Petitions are filed on the ground that the pendency of the suit in O.S.No.300 of 2015 before the Principal District Munsif Court, Srivilliputhur filed by the co-sister of the respondents had not been brought to the notice of the Court. This is the only ground on which the review petitions have been filed.

3.The petitioner does not allege that the order in question suffers from any error apparent on the face of the record or that they have discovered a new and important matter or evidence which despite the exercise of due diligence was not within the knowledge of the petitioner-Society. However, the petitioner seeks to remedy an omission by way of a review petition. The petitioner has also not provided any reason as to why these facts have not been brought to the notice of this Court when the revisions were argued and the orders passed. The



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petitioner cannot feign ignorance about the pendency of the proceedings, which is now transferred to the District Munsif Court, Rajapalayam and numbered as O.S.No.247 of 2019, which is the proceedings that the Review Petitioners claim has not been brought to the knowledge of this Court. The ground of review would further state that the said suit has been dismissed for default on 21.09.2021 and a petition for restoration is pending. Therefore, I find no merits in the review petitions, since it is always open to the petitioner to workout their remedy otherwise in the manner known to law. Accordingly, the review applications are dismissed.

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Index : Yes/No
Speaking order/non-speaking order
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P.T.ASHA, J.,

sp

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