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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.01.2019

CORAM

THE HONOURABLE MR. JUSTICE T.S. SIVAGNANAM

and

THE HONOURABLE MRS. JUSTICE R. THARANI

Review Application (MD) No.11 of 2019

and

C.M.P. (MD) No.707 of 2019

1. The Secretary to Government,
School Education Department,
Chennai-600 009.
2. The Director of Teachers Education,
Research and Training,
DPI Campus, College Road,
Chennai-600 006.
3. The Principal,
District Institute of Education and Training,
Munaichipatti-627 355,
Tirunelveli District.

... Applicants

-vs-

T. Balakrishnamony

... Respondent

Review Application filed under Order 47 Rules 1 and 2 read with Section 114 of Code of Civil Procedure to review the judgment dated 12.03.2018 made in W.A. (MD) No.23 of 2015.

Prayer in WA(MD). 23/ 2015 :

To prefer the following memorandum of grounds of writ appeal as against the order of this court dated 09.10.2014 in W.P. (MD) No.16618 of 2014.

Prayer in WP(MD). 16618/ 2014 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, directing the first respondent i.e. The Secretary to Government , School Education Department, Chennai to dispose off the petitioners representation dated 26.07.2014 in the light of G.O (2d) NO. 09 School Education (Nee.Va 3(2) Department dated 28.03.2014 read with Rule 11(4) of the Tamil Nadu Pension Rules within a specified time frame that may be fixed by this Honourable Court.

For Applicants : Mrs.S.Srimathi,
Special Government Pleader
For Respondent : Mr.S.Visvalingam

**ORDER**

(Order of the Court was made by T.S.Sivagnanam, J.)

This review application has been filed seeking to review the judgment in W.A.(MD) No.23 of 2015, dated 12.03.2018.

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2.We have perused the grounds of review and we find that the grounds canvassed in this review application are, in fact, the grounds which were canvassed in the writ appeal. The Court heard the submissions on either side and dismissed the writ appeal.

3.The learned Special Government Pleader now disputes that the respondent/writ petitioner had not even completed 10 years of service. This contention is wholly unsustainable, since the Government Order regularizing services of the writ petitioner clearly shows that incumbent had worked for ten years. In any event, a review is not an appeal in disguise.

4.Thus, for the above reasons, we find that the applicants have not made out any grounds to review the judgment in the writ appeal.

5.Accordingly, the review application fails and the same is dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1. The Secretary to Government,
School Education Department,
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ABR

MK/20.02.2019/2P/4C