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Rev.Aplw.Nos.198 to 201, 205 & 207 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.12.2023

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

AND

THE HONOURABLE MRS.JUSTICE N.MALA

REV. APLW.No.198 to 201, 205 & 207 of 2023

and

W.M.P.Nos.32375, 32391, 32392, 32394, 32508 & 32953 of 2023

E.Devi	...Petitioner in Rev.Aplw No.198 of 2023
Vellaiyammal	...Petitioner in Rev.Aplw.No.199 of 2023
A.Sellamuthu	...Petitioner in Rev.Aplw.No.200 of 2023
R.Rajesh	...Petitioner in Rev.Aplw.No.201 of 2023
S.Saravanan	...Petitioner in Rev.Aplw.No.205 of 2023
V.Ramesh Kumar	...Petitioner in Rev.Aplw.No.207 of 2023

.Vs.

1. The Chairman,
Tamil Nadu Pollution Control Board,
No.76, Mount Road, Guindy,
Chennai - 600 032.
2. The State Environment Impact Assessment
Authority,
No.9, Jeenis Road,
Saidapet,
Chennai - 15.03.02.2023



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3. The District Collector,
Salem District,
Salem.

4. The Deputy Director,
Department of geology and Mining,
Salem.

..Respondents in all the Rev.Appls.

PRAYER in all the Review Applications:- Applications filed to review the orders dated 03.11.2023 passed by this Court in W.P.Nos.31466, 31475 & 31505 of 2023, W.P.No.31601 of 2023, W.P.No.31597 of 2023, W.P.No.31593 of 2023, W.P.No.31475 of 2023 & W.P.No.31505 of 2023 on the file of this Court.

For Petitioners in
Rev.Aplw.Nos.198 to 200/2023 : Mr.G.Masilamani,
Senior Counsel
for Mr.P.S.Prabu

For Petitioners in
Rev.Aplw.Nos.201, 205
& 207/2023 : Mr.V.P.Senguttuvel,
Senior Counsel
for Mr.P.S.Prabu

For Respondents in allegation
the REv.Appls. : Mrs.Shanmugavallisekar,
Standing Counsel for R1
Mr.K.Srinivasamoorthy,
Central Govt.Standing Counsel
for R2
Mrs.Mythreyeechandru,
Special Govt.Pleader for R3 & R4.



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COMMON ORDER

(The order of the Court was made by J.Nisha Banu,J.)

The above Review Applications are filed seeking to review the orders dated 03.11.2023 made in W.P.Nos.31466, 31475 & 31505 of 2023, W.P.No.31601 of 2023, W.P.No.31597 of 2023, W.P.No.31593 of 2023, W.P.No.31475 of 2023 & W.P.No.31505 of 2023 passed by this Court.

2. A perusal of the affidavit filed in support of the review applications, would go to show that the review applicants assails the findings of this court stating that the orders are vitiated.

3. Learned Senior Counsel mainly pointing out to para No.14 of the order passed by the National Green Tribunal dated 07.12.2022 and Para No.3 of the Official Memorandum dated 03.11.2023 would state that this Court should re-open the findings recorded in the orders under review.

4. It is made clear that power to review under Section 114 read with Order 47 Rule 1 CPC can be exercised for correction of a mistake but not to substitute a view.



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5. The review is also not an appeal in disguise. We are of the considered view, there is no error apparent on the face of the record warranting review of the orders passed by this Court dated 03.11.2023. If the petitioners are aggrieved, they can file appeal and work out the remedy in the manner known to law. This court in exercise of review jurisdiction, without sufficient and just reasons, cannot review its own judgment. Therefore, finding no merits, the present Review applications are dismissed. No costs. Consequently, connected Miscellaneous Petitions are closed.

(J.N.B., J.) (N.M., J.)

15.12.2023

Index: Yes / No

vsi

Note: Issue order on 18.12.2023

To

1. The Chairman,
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Chennai - 600 032.



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2. The State Environment Impact Assessment
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J.NISHA BANU,J.

and

N.MALA,J.

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15.12.2023