



Rev.Aplc.No.91 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.06.2023

CORAM:

**THE HON'BLE MRS. JUSTICE J. NISHA BANU
AND
THE HON'BLE MR. JUSTICE D. BHARATHA CHAKRAVARTHY**

**Rev.Aplc.No.91 of 2023
in W.A.No.2185 of 2022**

Dr.C.Selvakumar

...Petitioner/Appellant

Vs.

1) The State of Tamil Nadu,
rep. by Principal Secretary to the Government,
Medical and Family Welfare (A1) Department,
Secretariat,
Chennai 600 009

2) The Director of Medical Education,
Directorate of Medical Education,
Medical and Family Welfare Department,
Chennai 600 010

... Respondents/Respondents

PRAYER: Review Application filed under Order XLVII Rule 1, read with Section 114 of Civil Procedure Code, to review the order passed in W.A.No.2185 of 2022 dated 23.09.2022 on the file of this Court.

For Review Petitioner: Mr.M.Ravi

For Respondents : Mr.P.Anandakumar
Government Advocate

ORDER



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This review is filed aggrieved by the order, dated 23.09.2022 in W.A.No.2185 of 2022.

2. Mr.M.Ravi, the learned counsel for the review petitioner would submit that the order under review suffers from an error apparent on the face of the record in as much as the findings in paragraph no.4.1 would be erroneous in the teeth of the counter affidavit filed by the respondents that the relinquishment should relate to the year 2017 and therefore, he is now deprived of one more panel in the year 2020 also.

3. However, we are unable to accept the submissions of the learned counsel for the review petitioner.

4. In respect of the stand taken by the parties, an interpretation has been given in paragraph no.3.8 whereby it is not the date of relinquishment or the date on which the Government accepts the relinquishment, but the crucial date as provided in the Government Order which is to be taken into account and therefore, since the promotion which is claimed by the review petitioner falls within the previous period, it was held that the order of the learned Single Judge



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was not erroneous in law.

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5. In that view of the matter, if the petitioner is aggrieved by the said findings, an appeal cannot be in disguise of an review. Finding no grounds for the review, we dismiss this Review Application. No costs.

(J.N.B., J.) (D.B.C., J.)

20.06.2023

Index : Yes / No
Internet : Yes / No
Neutral Citation : Yes / No
Speaking Order / Non-Speaking Order

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To:

- 1) The Principal Secretary to the Government,
Medical and Family Welfare (A1) Department,
Secretariat,
Chennai 600 009
- 2) The Director of Medical Education,
Directorate of Medical Education,
Medical and Family Welfare Department,
Chennai 600 010



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J. NISHA BANU, J.,

and

D.BHARATHA CHAKRAVARTHY, J.,

sts

Order made in
Rev.Aplc.No.91 of 2023

Dated:
20.06.2023