



REV. APLC (MD).Nos. 106 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 03.02.2023

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

REV. APLC (MD).Nos. 106 of 2022

IN S.A (MD) No.864 of 2005

Jailani

.. Petitioner/Appellant

Versus

1.Valliammal

2. Asan Mohideen Pitchai,

3.Bala

4.R.Vairamuthu

5.V.Meena

..Respondents/Respondents

PRAYER in REV. APLC (MD).Nos. 106 of 2022:- This Review Application is filed to review the Judgment and decree dated 06.02.2020 made in S.A(MD) No. 864 of 2005 and set aside the judgment and decree dated 29.12.2004 made in A.S.No.34 of 2003 on the file of the Principal District Court, Tuticorin, reversing the Judgment and decree dated 1.07.2002 made in O.S.No.161 of 1999 on the file of the Additional District Munsif Court.



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For Petitioners : Mr.Saibu for M/s.Ajmal Associates

For Respondents : Mr.D.Nallathambi

ORDER

This review application has been filed to review the judgment and decree dated 06.02.2020 made in S.A.(MD).No.864 of 2005.

2. The grounds raised in the affidavit would read that the judgment has to be reviewed in the interest of justice to prevent multiplicity of proceedings and the plaintiff's right cannot be denied.

3. Review is more restricted than that of an appeal and the Court of review has limited jurisdiction. Power of review can be exercised for correction of a mistake but not to substitute a view. In the considered view of this court, there is no error apparent on the face of the record warranting review of judgment dated 06.02.2020.

4. The learned counsel for the review applicant would submit that



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liberty may be granted to file a separate suit for partition.

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5. The review applicant is at liberty and he is having his right to file a separate suit to work out his remedy in the manner known to law. In any event, as far as this review application is concerned, I do not find any merit in the contentions raised and as such, the same is dismissed. No costs.

03.02.2023

Index: Yes / No

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