



Rev.Aplc.(MD).No.67 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 03.02.2023

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

REV. APLC (MD).No. 66 and 67 of 2020

in S.A (MD) No.1021of 2007 & S.A (MD) No.197 of 2008
and CMP(MD).No.7306 of 2020

Al Majithul Mubarak Pallivasal

Rep. By its Administrative committee

President Sheik Uthuman

...Petitioner/1st Respondent

in Rev.Aplc No.66&67of 2020

.Vs.

1. Jamaiyathu Ahlil Quran Val Hadhees

Represented by its president S. Kamaludeen Madurai

...1st Respondent/Appeallant in Rev.Aplc No.66&67of 2020

2. Jamaiyathu Ahlil Quran Val Hadhees

Represented by its District Secretary,

Kovai Aayub

3. K.S. Rahamathulla Imthagi,

S/o syed Ali

4. K.S. Abdulla Umari,

S/o Karukaliba Syed

5.K. Mohamed Ismail Noor,

S/o Meeran Maideen



Rev.Applc.(MD).No.67 of 2020

6.E.K.M.S. Bhava,

S/o Shahul Hameed

7. S.Allah Pitchai,

S/o Syed Jalaluddin

8. S.S.U. Sekana,

S/o Usman

9. K.M. Abul Nazeer,

S/o Mohamed Yousuff

..Respondents 2 to 9
in both Rev.Applications.

PRAYER in both Review Applications:- Petitions filed to review the judgment and decree dated 30.06.2020 passed in S.A.(MD).No.1021 of 2007 and S.A.(MD).No.197 of 2008.

For Petitioner : Mr.G.Prabu Rajadurai

For Respondents : Ms.Jenifar Bifur.

COMMON ORDER

The above Review Applications are filed seeking to review the judgment dated 30.06.2020 passed in S.A.(MD).No.1021 of 2007 and S.A.(MD).No.197 of 2008.

2. A perusal of the affidavit filed in support of the review applications,



Rev.Aplc.(MD).No.67 of 2020

would go to show that the review applicant assails the findings of this court stating that the judgment is vitiated.

3. The argument of the learned counsel for applicant/review petitioner is that this Court should re-open the findings recorded in the judgment under review.

4. It is made clear here that review jurisdiction cannot be used for that purpose. This is not the scope of Section 114 read with Order 47 Rule 1 CPC. Power of review can be exercised for correction of a mistake but not to substitute a view.

5. The review is also not an appeal in disguise. In the considered view of this court, there is no error apparent on the face of the record warranting review of judgement dated 30.06.2020. If the petitioner is aggrieved, he 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. Finding no merits, the present Review applications are dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.



Rev.Applc.(MD).No.67 of 2020

WEB COPY

03.02.2023

Index: Yes / No

nvsri



WEB COPY



Rev.Aplc.(MD).No.67 of 2020

J.NISHA BANU,J.

nvsri

Rev.Aplc.(MD).Nos.66 and 67 of 2020

03.02.2023