



Review Application No.12 of 2008

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:11.07.2024

CORAM

THE HON'BLE MR. JUSTICE S.M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE C. KUMARAPPAN

Review Application No.12 of 2008

&

M.P. No. 1 of 2008

K. Sumathi

..Petitioner

Vs.

1. Eka Ratchagar Sabai
Higher Secondary School,
rep. by its Correspondent,
Salaiputhur,
Asirvathapuram Post,
Tuticorin District.
2. Smt.D. Sumathi Mispa Maharani
3. Chief Educational Officer,
Tuticorin.

..Respondents



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Prayer: Review Application to review the judgment dated 21.09.2007
passed in W.A. No. 367 of 2007.

For Petitioner :: Mr.V. Sivalingam for
Mr.P. Ganesan

For Respondents :: Mr.E. Sundaram
Govt. Advocate for R3
O R D E R

*(Made by **S.M. SUBRAMANIAM,J.**)*

The present review application has been filed to review the judgment dated 21.09.2007 passed in W.A. No. 367 of 2008.

1. At the outset, it has to be stated that re-adjudication of the issue on merits cannot be entertained in review proceedings and the grounds raised in the appeal cannot be considered in review application.

2.

3. Though the learned counsel for the petitioner would state that the rule position was not considered by the Writ Appellate Court, we do not find that the said submission made by the learned counsel for the petitioner is correct since the Division Bench had gone into the issue involved, in extenso, considered the rule position and thereafter allowed appeal filed by the School Management giving categorical findings and set aside the order



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passed by the learned Single Judge in the writ petition. The grounds raised in the review application may be good grounds in appeal but certainly not in a review application. Thus, we are not inclined to interfere with the judgment sought to be reviewed when there is no error apparent on the face of the record and the review application stands dismissed. No costs. Connected M.P. is closed.

(S.M.S.J.) (C.K.J.)

11.07.2024

nv

S.M. SUBRAMANIAM,J.

And

C. KUMARAPPAN,J.

nv

To
Chief Educational Officer,
Tuticorin.

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