



Rev. Appl. No.94 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.08.2024

CORAM :

THE HON'BLE MR.JUSTICE S.S.SUNDAR

and

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

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R.Shanmugam

... Petitioner

-VS-

1. The District Collector,
Vellore District, Vellore.

2. The Tahsildar,
Tirupattur Taluk, Tirupattur.

3. V.Velayutham
4. S.Vadivukkarasi

5. The Employment Exchange Officer,
Employment Exchange, Vellore.

... Respondents

PRAYER : Review Petition filed under Order 47 Rule 1 read with Section 114 of CPC seeking to review the order dated 15.02.2021 made in W.A.No.3294 of 2019 on the file of this Court.

For Petitioner : Mr.R.Malaichamy

For Respondents : Mrs.V.Yamuna Devi
Spl. Govt. Pleader for RR 1, 2 & 5
: M/s.Y.Kavitha
for M/s.PVS Giridhar Associates
for RR 3 and 4

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ORDER

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(Order of the Court was made by **S.S.SUNDAR, J**)

This review application is filed seeking review of the judgment of this Court dated 15.02.2021 in W.A.No.3294 of 2019.

2. The applicant is the writ petitioner in the writ petition W.P.No.19863 of 2009 wherein he challenged the proceedings of the second respondent with regard to the appointment made to the third and fourth respondents in the writ petition as Village Assistants at Kondakunthanahalli and Athiyur respectively vide proceedings dated 13.03.2008. The writ petition was dismissed by a learned Single Judge of this Court by order dated 18.07.2019 considering all the grounds on which the applicant challenged the proceedings of the second respondent giving appointment to respondents 3 and 4 as Village Assistants by the impugned order. The said order was challenged in the writ appeal W.A.No.3294 of 2019, which was also dismissed.

3. The learned counsel appearing for the review applicant states



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that the contention of the review applicant before the appellate Court that the third respondent had crossed the maximum age on the date of interview was not considered by the Division Bench in the writ appeal.

4. The learned counsel for the review applicant himself admits that even in the writ petition, the applicant has not raised the ground that the third respondent had crossed the prescribed age limit at the time of interview. The applicant though has raised this as one of the grounds in the writ appeal, no document or materials were placed before the Court to show that the third respondent was over-aged. Since the petitioner has not raised the issue in the writ petition, even the appellate Court would not have permitted the petitioner to raise the said ground in the writ appeal.

5. Even from the arguments recorded by this Court while disposing of the writ appeal, it is seen that the learned counsel did not raise the issue regarding the disqualification of the third respondent due to over-age.

6. It is well settled that review is not an appeal in disguise.



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Unless there is an error apparent on the face of record this Court is not expected to entertain the review application. Therefore, this Court is unable to find any ground to review the judgment of this Court in the writ appeal.

7. The review application is, accordingly, dismissed. No costs.

(S.S.S.R., J.) (S.S.K., J.)
07.08.2024

Index : Yes/No
NC : Yes/No

sra

To

1. The District Collector,
Vellore District, Vellore.
2. The Tahsildar,
Tirupattur Taluk, Tirupattur.



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S.S.SUNDAR, J.
and
SATHI KUMAR SUKUMARA KURUP, J.

(sra)

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