



Rev.Aplw.No.89/2024.

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 22.11.2024

CORAM

THE HONOURABLE MR. JUSTICE S.S.SUNDAR

AND

THE HONOURABLE MR. JUSTICE D.BHARATHA CHAKRAVARTHY

REV.APLW.No.89/2024

M.L.Ravi

.. Petitioner

Versus

- 1.Chief Election Commissioner
Election Commission of India
Nirvachan Sadan, Ashoka Road
New Delhi 110001.
- 2.Chief Electoral Officer
Public Elections Department, Tamil Nadu
Secretariat, Fort St George
Chennai 600 009.
- 3.Returning Officer & District Collector
No.25, Perambalur Parliament Constituency
Perambalur Collectorate, Perambalur.
- 4.Returning Officer & District Collector
No.13, Villupuram Parliament Constituency
Villupuram Collectorate, Villupuram.



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5.Returning Officer & District Collector
No.17, Erode Parliament Constituency
Erode District, Erode.

6.Returning Officer & District Collector
No.16, Namakkal Parliament Constituency
Namakkal District, Namakkal.

7.Returning Officer & District Collector
No.37 Tenkasi [SC] Parliament Constituency
District Collectorate Office, Tirunelveli.

8.President/General Secretary/Authorised Signatory
Dravida Munnetra Khazagam [DMK]
Anna Arivalayam, Anna Salai, Chennai 600 018.

9.President/General Secretary/Authorised Signatory
All India Dravida Munnetra Khazagam [AIADMK]
Lloyds Road, Royapettah, Chennai 600 014.

10.T.R.Paarivendhar

11.D.Ravikumar

12.A.Ganesha Moorthy

13.P.Chinaraj

14.Dr.K.Krishnasamy

.. Respondents

Prayer:- Review Application filed under Order 47 Rule 1 read with Section 114 of CPC to review the order dated 09.01.2024 in WP.No.27375/2019.

For Petitioner : Mr.T.Sivagnanasambandan



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ORDER

[Order of the Court was made by S.S.SUNDAR, J.,]

- (1) This review application is filed by the writ petitioner seeking to review the order dated 09.01.2024 passed in WP.No.27375/2019.
- (2) Learned counsel as well as the party/writ petitioner, namely, Mr.M.L.Ravi, who is also permitted to argue before this Court submitted that the order is erroneous and this Court failed to consider Form-B and its contents. This Court has already taken note of the submission of respondents that they are the members of the political party on whose symbol they had contested the election. It is therefore, this Court consciously held that in a writ petition, the Court will not entertain disputed question of facts or issues.
- (3) Though judicial precedent was relied upon by the petitioner, this Court distinguished that judgment on facts and held that the writ petitions cannot be entertained.
- (4) Having regard to the scope of review application, this Court finds that the petitioner has not made out a case for review. Merely because an



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order is erroneous, a review is not maintainable and the remedy is to prefer an appeal as against the order. This Court has repeatedly held that a review is not an appeal in disguise. There cannot be rehearing.

(5)Therefore, having regard to the well settled principles and the scope of review under Order 47 Rule 1 of CPC, this Court finds no merit in the review application.

(6)Accordingly, the review application stands **dismissed**. No costs.

[S.S.S.R., J] [D.B.C., J]
22.11.2024

AP
Internet: Yes



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To

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