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Review Application No.171 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :11.11.2024

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN

Review Application No.171 of 2024

S.Vaiyapuri

... Review Petitioner

Vs.

1.The State of Tamil Nadu,
Principal Secretary to Government,
Home (Court-1) Department,
Fort St.George,
Chennai – 600 009.

2.The Registrar General,
High Court of Madras,
Chennai – 600 104.

... Respondents

Prayer: Review Application filed under Order 47 Rule 1 r/w Section 114 of Code of Civil Procedure, to review the order dated 04.01.2017 in W.P.No.25904 of 2016 on the file of this Court and allow the review petition.

For Petitioner : Mr.B.Kumar, Senior Counsel
for Mr.Sundar Narayan

For Respondents : Mr.P.Balathandayutham
Special Government Pleader (for R1)
Mr.S.Haja Mohideen Gisthi (for R2)

ORDER



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

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The present Review Petition has been instituted to review the order dated 04.01.2017 in W.P.No.25904 of 2016 on the file of this Court and allow the review petition.

2. Mr.B.Kumar, the learned Senior counsel appearing on behalf of the Review Petitioner would mainly contend that the Sale Deed dated 11.01.2008 executed by the complainant, Mr.K.Sivagnanam in favour of Anabayan, the brother in law of the petitioner, on the premise that the latter in conjunction with the petitioner had pressurised the complainant into giving away his property, which is believed by the recitals in the sale deed explicitly stating that consideration did pass under the deed after which the complainant was able to extricate his property from sale by a Court auction and thereafter, purchased three shops in Karaikal, in addition to securing admission for his grandson in an Engineering College in Chennai, which would not have been possible without consideration passing under the deed.

3. Other grounds raised in the present Review Petition also relates to



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the merits of the case. The punishment of dismissal was imposed on the review petitioner after conducting the Departmental Disciplinary Proceedings. The enquiry was conducted and the petitioner participated. The grounds raised on merits were considered by this Court while dealing with the Writ Petition. Even presuming that certain grounds raised by the petitioner have not been considered by this Court, the same would not constitute any ground to entertain the review petition, in the absence of establishing an error apparent on record.

4. Except the grounds raised on merits, we could not able to find out any error apparent warranting interference by this Court in exercise of the review jurisdiction. Ground for an appeal may not be a ground to review the order passed by this Court.

5. With the above observations, this Review Petition is dismissed.

[S.M.S., J.]

[M.J.R., J.]

11.11.2024

Index: Yes/No

Speaking/Non-speaking order

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S.M.SUBRAMANIAM, J.
AND
M.JOTHIRAMAN, J.

gd

To

- 1.The Principal Secretary to Government,
Home (Court-1) Department,
Fort St.George,
Chennai – 600 009.
- 2.The Registrar General,
High Court of Madras,
Chennai – 600 104.

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08.11.2024