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Rev.Aplc(MD)No.120 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date of Reserved	28/10/2024
Date of Pronounced	07/11/2024

CORAM

THE HONOURABLE MR. JUSTICE G.ILANGOVAN

Rev.Aplc(MD)No.120 of 2024

Sivaleelavathi : Petitioner/Petitioner/
Petitioner
Vs.

1.The State Election Commissioner,
Tamil Nadu Election Commission,
Chennai.

2.The District Election Officer/
District Collector,
Virudhunagar District,
Virudhunagar.

3.The Returning Officer,
The Commissioner,
Sivakasi Panchayat Union,
Virudhunagar District.

4.M.Muthuvalli

5.M.Ramalakshmi

6.R.Thanga Radha

7.A.Kaleeswari

8.D.Dhanalakshmi : Respondents/Respondents/
Respondents

Prayer: This Review Application is filed under
Order 47 r/w section 114 of the Civil Procedure Code, to
review the order passed by this court in CRP(MD)No.1565 of
2023, dated 25/03/2024.



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For Petitioner : Mrs.N.Gayathri
For R1 to R3 : Mr.R.Ragavendran
Government Advocate
For 4th Respondent : Mr.R.Senthil Kumar
For R5 to R8 : Dispensed with

O R D E R

This review application is filed seeking to review the order passed by this court in CRP(MD)No.1565 of 2023, dated 25/03/2024.

2.The facts in brief:-

CRP(MD)No.1565 of 2023 was filed by this petitioner challenging the EOP No.75 of 2021, dated 31/01/2023 passed by the Principal District and Sessions Judge, Virudhunagar District at Srivilliputhur on the ground that irregularities were committed by the Polling Officer by replacing the original ballot papers to the fake and also created Form-20. Apart from that, it is also stated that the votes polled in favour of the petitioner were treated as invalid. The Returning Officer, hurriedly declared the result without verifying the ballot papers properly.

3.After hearing both sides, by order, dated 25/03/2024, the petition was dismissed by this court observing that none of the allegations made by the petitioner were substantiated before the Election Court.



So, the order passed by the Election Court was held proper and legal and dismissed the CRP.

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4.Now to review that order, this review application is filed without any sufficient reasons or grounds.

5.Heard both sides.

6.Review will lie only if error apparent on the face of the records is revealed.

7.The learned counsel appearing for the petitioner repeatedly submitted before this court that difference between the petitioner and winner is only 21 votes, so recounting must be ordered.

8.The grounds mentioned in this application are repetition of the grounds mentioned in the CRP. Apparently, there is no error on the face of the records. Under the guise of the review application, the petitioner wants the matter to be reheard on factual aspects, which is not permissible under law.

9.So I find absolutely no reason to entertain this review application. Absolutely, no case has been made out by the petitioner for review.



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10.In the result, this review application is
dismissed. No costs.

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Index : Yes/No
Internet : Yes/No
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To,

- 1.The Principal District and Sessions Court,
Virudhunagar District at Srivilliputhur
- 2.The State Election Commissioner,
Tamil Nadu Election Commission,
Chennai.
- 3.The District Election Officer/
District Collector,
Virudhunagar District,
Virudhunagar.
- 4.The Returning Officer,
The Commissioner,
Sivakasi Panchayat Union,
Virudhunagar District.
- 5.The Section Officer,
VR/ER Section,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVAN, J

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