



Review Appl. (MD)No.20 of 2

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 07.03.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
AND
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Review Appl.(MD) No.20 of 2024

T.Balasubramanian

...Petitioner

Vs.

The Executive Engineer / Administrative Officer,
Tamil Nadu Housing Board,
Khajamalai Colony,
Trichy - 620 020.

...Respondent

Prayer: Review Petition filed under Order XLVII Rule 1 & 2 of C.P.C.,
seeking to review the order made in W.A.(MD).No.861 of 2023 dated
20.06.2023.

For Petitioner : Mr.P.Krishnasamy

ORDER

(Order of the Court was made by R.SUBRAMANIAN, J.)

The Writ Petition filed by the petitioner W.P.(MD)No.14386 of 2020
was dismissed by Hon'ble. Mr. Justice G.R.Swaminathan on 13.12.2022 and
the said order reads as follows:-



"2.The learned Standing Counsel appearing for the respondent pointed out that the petitioner had already filed W.P.(MD)No.14095 of 2018 for the very same relief and the same was dismissed as withdrawn on 27.02.2020. The petitioner did not reserve any liberty at the time of withdrawing the writ petition. In view of the same, the present writ petition is not maintainable. It is dismissed. There shall be no order as to costs."

2.The said order was challenged in W.A.(MD).No.861 of 2023 and we had dismissed the Writ Appeal on the ground that having withdrawn the earlier Writ Petition, the petitioner cannot maintain the second Writ Petition. Our order reads as follows:-

"The writ petition has been dismissed on the ground that the petitioner had already filed a writ petition with the same prayer and had withdrawn it. The said fact is admitted.

2.We, therefore, do not see any merit in the appeal and this writ appeal stands dismissed. No costs."

3.Mr.P.Krishnasamy, learned counsel appearing for the review applicant would submit that though he sought for leave, the learned Judge while disposing of W.P.(MD)No.14095 of 2018 on 27.02.2020 had by mistake not granted leave and he wants correction of that mistake. The said



correction cannot be done by us. If at all a mistake had occurred and it has to be corrected, it can be done only by the learned single Judge, who passed the order on 27.02.2020. Therefore, reserving liberty of the review applicant to move the learned single Judge who passed the order dated 27.02.2020, this Review Application is dismissed.

(R.S.M., J.) (L.V.G., J.)
07.03.2024

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Internet: Yes/No

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation : Yes/No

To:-

The Executive Engineer / Administrative Officer,
Tamil Nadu Housing Board,
Khajamalai Colony,
Trichy - 620 020.



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R.SUBRAMANIAN, J.
and
L.VICTORIA GOWRI, J.

KKN

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