



Rev.Aplw.No.3/2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 21.02.2024

CORAM :

THE HONOURABLE MR. JUSTICE S.S. SUNDAR

AND

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

Rev.Aplw.(MD).No.3/2024 & WMP.(MD).No.257/2024

Thiraviyarathainaraj

.. Petitioner

Vs.

1.The State Human Rights Registrar [Law]
State Human Rights Commission,
Tamil Nadu, Thiruvarangam,
No.143, PS Kumarasamy Raja Salai
[Greenways Road], Chennai 600 028.

2.K.Kavaskar

... Respondents

Prayer : Review Application filed under Order 47 Rules 1 and 2 of CPC to review the order dated 16.08.2022 passed in WP.(MD).No.18423/2022.

For Petitioner	: Mr.Sankararamasubramanian.A
For R1	: Mr.J.Ashok, AGP
For R2	: Mr.Ka.Raamakrishnan



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ORDER

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

- (1)The present Review Application is filed by the review applicant as against the order passed in WP.(MD).No.18423/2022 dated 16.08.2022.
- (2)The review applicant is the writ petitioner who filed the writ petition in WP.(MD).No.18423/2022 for issuance of a writ of certiorari to quash the impugned proceedings dated 17.06.2022 passed by the State Human Rights Commission, 1st respondent herein, in SHRC Case No.2667/2016. The Commission, by a detailed order, held that the respondents had caused human right violations. In view of the specific findings on issues on the basis of material documents, the Commission gave its recommendations directing the State Government to pay compensation and further gave liberty to the Government to recover the amount from respondents 1 to 3 before the Commission. Challenging the order, the 3rd respondent before the Commission filed the above writ petition.
- (3)This Court, vide order dated 16.08.2022, confirmed the order of the Commission after finding that the findings of the Commission are unassailable.



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(4)The learned counsel for the petitioner submitted that the 2nd respondent herein has obtained the order from the Commission suppressing a few criminal proceedings which went against the complainant. This Court is unable to find any relevance to support the plea of the petitioner herein to rehear the matter.

(5)The Hon'ble Supreme Court and this Court, has repeatedly held that a review is not an appeal in disguise and unless there is an error apparent on the face of the record, review application is not maintainable. Even if an error has to be detected by a process of reasoning, review cannot be entertained. This Court is also of the view that this review application does not fall within the scope of Order 47 Rule 1 of CPC.

(6)In such circumstances, this Court finds no merit in the review application. In the result, the Review Application stands **dismissed**. Consequently, connected miscellaneous petition is closed.

[S.S.S.R., J.] [S.S.Y., J.]
21.02.2024

AP
Internet : Yes
Neutral Citation : Yes / No



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