



Rev.A.(MD)41 of 2019

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.04.2024

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

AND

THE HONOURABLE MR.D.BHARATHA CHAKRAVARTHY

Review Application (MD) No.41 of 2024

1. The Joint Registrar of Cooperative Societies
Common Cadre Authority, Tirunelveli

2. The Deputy Registrar of Cooperative Societies
Tirunelveli

Applicants

Vs

1. V.Palanivel

2. The President, O.702, Panthapuli Primary Agricultural
Cooperative Credit Society, Sankaran Koil
Tenkasi District

Respondents

Prayer:- This Review Application has been filed to review the order of this Court, dated 22.08.2023, made in WA(MD)No.1349 of 2023, passed by this Court.

For Petitioners : Mr.S.P.Maharajan, SGP

For Respondents : Mr.D.Shanmugaraja Sethupathi



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ORDER

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(Order of the Court was made by S.S.SUNDAR, J.)

1. This Review Application has been filed to review the order of this Court, dated 22.08.2023, made in WA(MD)No.1349 of 2023, passed by this Court.
2. This Court heard the learned Special Government Pleader for the Petitioners and the learned counsel for the Respondents.
3. The Writ Appeal was filed, by the 2nd Respondent herein, challenging the order of this Court made in WP(MD)No.24384 of 2022, dated 27.04.2023, which was filed by the 1st Respondent herein, seeking to quash the proceedings, dated 30.06.2022, relating to his retirement benefits.
4. The fact that the 1st Respondent herein was permitted to retire is not in dispute. This Court, while dismissing the Writ Appeal, specifically held that as per the statutory rules, the retirement benefits have to be paid by the Applicant/ Society. After permitting the 1st Respondent to retire, it is not permissible in law to withhold the terminal benefits, which are to be paid to the 1st Respondent. Holding so, this Court disposed of the Writ Appeal, after elaborately discussing on merits and by taking note of



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the legal position and hence, there is no scope to entertain this review application.

5. A Review is not an appeal in disguise, as has been, time and again, held by several judgements of this Court. The Court can exercise its power of review only when there is an error apparent on the face of record. Even an error, which is not apparent on the face of the record, but has to be detected by a process of reasoning cannot be a ground for review. Any ground, which does not fall under Order 47 Rule 1 of CPC, cannot be considered in a review application. Therefore, this Court finds no ground within the scope of Order 47 Rule 1 of CPC or merit in this Review Application and accordingly, this Review Application is liable to be dismissed.

6. In fine, this review application is dismissed, as devoid of merits. No costs.

(S.S.S.R.J.) & (N.S.J.)

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Index:Yes/No

Web:Yes/No

Speaking/Non Speaking

Neutral Citation

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S.S.SUNDAR, J.
and
D.BHARATHA CHAKRAVARTHY, J.

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