



REV.APLW(MD)No.78 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 03.04.2025

CORAM

THE HON'BLE MRS.JUSTICE **J.NISHA BANU**
and
THE HON'BLE MR.JUSTICE **R.VIJAYAKUMAR**

REV.APLW(MD)No.78 of 2024
in
W.M.P.(MD)No.8939 of 2024

S.Jeyapal

... Petitioner

-VS-

1.The Authorised Officer,
Bank of Baroda,
Kamagoundpatti,
Theni District.

2.S.Joseph Patric
3.R.Gnanam Jancy Rani

... Respondents

Prayer: This Review Application is filed under Section 114 and Order 47
Rule 1 CPC to review the order passed by this Court in W.P.(MD)No.
2498 of 2024, dated 07.02.2024.

For Petitioner : Mr.S.Rengasamy



REV.APLW(MD)No.78 of 2024

ORDER

J. NISHA BANU
and
R.VIJAYAKUMAR, J.

This Review Application has been filed by the Writ Petitioner to review the order passed by this Court in W.P.(MD)No.2498 of 2024, dated 07.02.2024.

2.The Review Applicant has filed the above Writ Petition seeking to quash the impugned demand notice issued by the first respondent, dated 10.07.2015 and to cancel the sale confirmation and sale certificate.

This Court, by order, dated 07.02.2024, has passed the following order:

“5.The petitioner without availing the alternative efficacious appeal remedy, is filing frivolous petitions before this Court and had indulged in forum shopping by approaching the different courts for the same relief. A classic example of forum shopping is when a litigant approaches one Court for relief but does not get the desired relief and then approaches another Court for the same relief. This occurred in Rajiv Bhatia v. Govt. of NCT of Delhi and others [(1999) 8 SCC 525].

6.In the light of the above decision, we are not inclined to entertain this Writ Petition. Accordingly, this writ petition stands dismissed with costs. The petitioner shall pay a sum of Rs.25,000 (Rupees Twenty Five Thousand only) to the credit of the Environmental Fund Operated by Member Secretary, Tamil



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REV.APLW(MD)No.78 of 2024

Nadu State Legal Services Authority [Account No.6656485009; IFSC Code: IDIB000H040, High Court Branch, Chennai] and a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to the High Court Legal Services Authority within a period of two weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petitions are closed.”

3.While dealing with this Review Application, this Court must only see if the order passed in the Writ Petition suffers from any error apparent on the face of the record. This Court in the guise of dealing with the Review Application cannot re-hear the matter and pass orders.

4.On a bare reading of the grounds raised in this application, the affidavit filed in support of the Writ Petition and the order passed by this Court, dated 07.02.2024, this Court is of the opinion that there is no error apparent on the face of the record and the learned Counsel for the petitioner is unable to point out any error apparent in the order. Further, this Court is of the view that as against the order passed by DRAT, the petitioner has an efficacious alternative remedy and without exhausting the appeal remedy, approaching this Court by way of Review Application is not maintainable.



REV.APLW(MD)No.78 of 2024

WEB COPY

5.The Honourable Supreme Court and this Court has repeatedly held that a review is not an appeal in disguise. Unless error is apparent on the face of record or the error can be detected, without a long drawn process of reasoning, the review cannot be entertained. A review on a new point, which has to be established on facts after hearing both side, is not maintainable. Hence, this Court find no reason or ground to review the order of this Court in W.P.(MD)No.2498 of 2024, dated 07.02.2024.

6.Accordingly, the Review Application is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

(J.N.B., J.) (R.V, J.)
03.04.2025

Index : Yes / No
Internet : Yes / No
NCC : Yes / No

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REV.APLW(MD)No.78 of 2024

J. NISHA BANU, J.
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