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Rev.Appl.(MD)No.75 of 2024
against W.A.(MD)No.625 of 2024



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.10.2025

CORAM:

**THE HONOURABLE MR.JUSTICE R.SURESH KUMAR
AND
THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN**

**Rev.Appl.(MD)No.75 of 2024
against W.A.(MD)No.625 of 2024**

R.Vasantha

...

Applicant /
Appellant

versus

1.The State of Tamil Nadu,
Rep. by its Secretary,
Health and Family Welfare Department,
St.George Fort,
Chennai - 600 009.

2.The Director,
O/o.Director of Medical Education,
Kilpauk, Chennai - 600 010.

3.The Dean,
Kanyakumari Government Medical College,
Aasaripallam,
Kanyakumari District.

...

Respondents /
Respondents

Prayer: Review Application filed under Order XLVII Rule 1 of the Civil Procedure Code read with Section 114 read with Article 226 of the Constitution of India against the order passed in W.P.No.6195 of 2025 dated 20.03.2025.



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Rev.Aplc.(MD)No.75 of 2024
against W.A.(MD)No.625 of 2024



For Applicant : Mr.G.Mutharasu
For Respondents : Mr.D.Shaji Binu
Special Government Pleader

ORDER

(Order of the Court was made by **G.ARUL MURUGAN, J.**)

This Review Application is filed seeking to review the order dated 08.04.2024 made in W.A.(MD)No.625 of 2024.

2. The Writ Petition was filed challenging the order dated 28.04.2020 passed by the third respondent whereby the request of the petitioner seeking to appoint her son on compassionate ground was rejected. The writ court, on finding that the application had been made belatedly after a delay of 10 years, came to the conclusion that compassionate appointment cannot be granted at this length of time and rejected the writ petition.

3. The Writ Appeal was preferred on the ground that the husband of the petitioner died on 14.11.2008 and the petitioner had submitted an application seeking compassionate appointment on 27.02.2009, which came to be rejected. Thereafter since the services of her husband came to be regularised on 09.09.2016 with effect from 01.04.2007, the petitioner made another application on 11.04.2018 seeking compassionate appointment for her son.



4. This Court had concluded that when the application was preferred by the petitioner seeking employment on compassionate ground on the death of her husband, which came to be rejected, the petitioner was not entitled to make an alternate application seeking compassionate appointment for her son. In view of G.O.(Ms)No.18, Labour and Employment (Q1) Department dated 23.01.2020, an alternate application can be submitted only if the applicant, who had earlier applied, had died after applying for the compassionate appointment and further the application has to be made within three years. As such by order dated 08.04.2024, the Writ Appeal was dismissed.

5. The learned counsel appearing for the petitioner in this review contends that since the earlier application filed by the petitioner was rejected on the ground that the services of the petitioner's husband were only on temporary basis, but however, since the same was subsequently regularised, she is entitled to submit a fresh application and the application submitted on 11.04.2018 is within a period of three years from the date of the Government Order passed regularising the services. By raising this aspect, the learned counsel contends that the petitioner is entitled to seek review of the order.



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6. We are not able to accept the contention of the learned counsel for the petitioner for the simple reason that all these aspects were raised and argued in the writ appeal. We had in fact considered these aspects in paragraph nos.7 and 8 of the order and had concluded in paragraph nos.10 and 11 that the second application filed by the petitioner is not maintainable in view of the scheme in force and further, since the application was not filed within three years, the same cannot be considered after a length of nearly 9½ years.

7. The review could be considered only within the scope and ambit of Order 47 Rule 1 of CPC. The learned counsel for the petitioner only seeks to reargue the appeal, which is impermissible. The review is not an appeal in disguise and only if there is an error apparent on the face of the record, which does not require detailed reasoning, the review could be maintained. If the petitioner feels aggrieved by the decision in the Writ Appeal, the petitioner has a remedy of appeal. In the instant case, the petitioner had not made out any grounds pointing out any error apparent on the face of the record and all that is adjudicated by the petitioner are the same points that were urged and considered in the writ appeal.



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8. In view of the above, there is no merits in the review application. Accordingly, this Review application stands **dismissed**. There shall be no order as to costs.

(R.S.K., J.) (G.A.M., J.)
14.10.2025

Speaking order / Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

sri

To

- 1.The Secretary,
State of Tamil Nadu,
Health and Family Welfare Department,
St.George Fort,
Chennai - 600 009.
- 2.The Director,
O/o.Director of Medical Education,
Kilpauk, Chennai - 600 010.
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