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Rev.Appln.No.247 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.01.2026

CORAM

THE HONOURABLE MR. JUSTICE **V.LAKSHMINARAYANAN**

Review Application No.247 of 2024
and C.M.P.No.32972 of 2025

R.Varatharajan

... Petitioner

Vs.

1. The Deputy Registrar of
Co-operative Societies,
No.55, Kosamada Street,
Tiruvannamalai.

2. The Special Officer,
H.H.143, Mallavadi Primary Agricultural
Co-operative Bank,
Mallavadi Village & Post,
Tiruvannamalai Taluk.

... Respondents

Prayer : Petition filed under Order XLVII Rule-1 r/w Section 114 of Code of Civil Procedure, to review the order passed in C.R.P.No.3018 of 2022 dated 04.04.2024.

For Applicant : Mr.S.Sathiaselan
For Respondents : Mr.B.Tamilnidhi
Additional Government Pleader

ORDER

Heard Mr.S.Sathiaselan for the applicant. This application seeks to review the order passed by this Court in C.R.P.No.3018 of 2022, dated 04.04.2024.

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2. By virtue of that order, this Court agreed with the order passed by the learned Principal District Judge, Tiruvannamalai, in C.T.A.No.22 of 2018, dated 07.07.2022. By virtue of the said proceedings, the learned Principal District Judge, Tiruvannamalai, had partly allowed the appeal and partly confirmed the order passed by the Deputy Registrar of Co-operative Societies, Tiruvannamalai, in his proceedings in Surcharge No.05/2008-2009 dated 29.07.2009.

3. The pleas of Mr.S.Sathiaseelan are that this Court did not consider the following aspects:-

(i) Prior to the proceedings under Section 87 of the Tamil Nadu Co-operative Societies Act (hereinafter called as “the Act”), a copy of the enquiry report under Section 81 of the Act had not been furnished to the petitioner.

(ii) Insofar as the items were the applicant was found liable in the surcharge proceedings viz., item Nos.4 & 5 are concerned, not a single record had been furnished by the Deputy Registrar of Co-operative Societies or before the Co-operative Tribunal-cum-Principal District Judge, Tiruvannamalai.

(iii) The aspect of willful negligence had not been gone into, either by the first respondent, or by the learned Principal District Judge, Tiruvannamalai, in C.T.A.No.22 of 2018. Hence, he pleads that the order dated 04.04.2024 be reviewed.



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4. At the outset, I should point out that the review is not an appeal in disguise. None of the points, which Mr.S.Sathiaseelan presses as grounds of the review, were urged by Mr.C.Prakasam, who had argued the revision before this Court.

5. Mr.S.Sathiaseelan pleads that the matter had been raised in the grounds and therefore, this Court ought to have considered that grounds also at the time of pronouncing the judgment. As to the manner in which a counsel wants to place his submissions before this Court is not for this Court to dictate. Mr.C.Prakasam, who had filed the revision had raised several grounds, but had only pressed the points which have been recorded by this Court in its order dated 04.04.2024. If the counsel raises several matters in the grounds and does not argue the same, the only conclusion that this Court can arrive at is the counsel who argued at the time of revision did not think those points were fit enough to be urged at the time of disposal.

6. Furthermore, change in counsel does not mean that there would be change in law. This Court is not sitting on appeal. While dealing with a review, an error apparent on the face of record is *sine qua non* for granting relief in the review. If this Court had committed an error in appreciation of any of the

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argument made by Mr.C.Prakasam and same is apparent, certainly, this Court would have entertained the review.

7. Mr.S.Sathiaseelan wants to urge the points which were not urged by Mr.C.Prakasam, when the revision had been taken up for disposal. This, I feel, cannot be treated as an error apparent on the face of record.

8. Since I do not find any error apparent on the face of the records, this Review Application is dismissed. Consequently, connected miscellaneous petition is closed. There shall be no order as to cost.

12.01.2026

Index : Yes/No
Speaking/Non Speaking order
Neutral Citation : Yes/No

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V.LAKSHMINARAYANAN, J.

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