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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-06-2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE N.SENTHILKUMAR

REV.APLW No. 172 of 2024

Manibhadra Enclave Flat
Owners Association No 121, Anna Pillai Street,
Sowcarpet Chennai 600 079

..Petitioner(s)

Vs

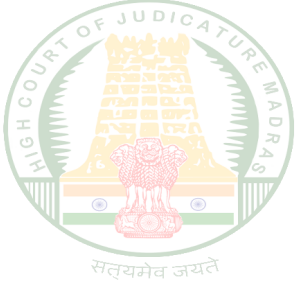
1. S.Thiagarajan
S/o Late B. Sampath No 1 / 120 Annapillai
Street, Sowcarpet, Chennai 600 079
2. The Member Secretary
Chennai Metropolitan Development Authority
Thalamuthu Natarajan Building No 2 Gandhi
Irwin Road Egmore Chennai 600 008
3. The Commissioner
Corporation Of Chennai Ripon Building, Park
Town Chennai 600 003
4. The Housing And Urban Development
Department
Rep By Its Secretary Government Of Tamil
Nadu Fort St George Chennai 600 009

..Respondent(s)

Review Application filed Order 47 Rule 1 of CPC r/w Section 114 of CPC to review the order passed in the above writ petition in W.P. No 11339 of 2024 dated 30.07.2024.

For Petitioner(s):

Mr.Jyothy for Mr.S.T.Rajesh Murugan



For Respondent(s):

Mr.R.Sivakumar, Standing Counsel for R2,
Mr.D.B.R.Prabhu, Standing Counsel for R3,
No Appearance for R1 & R4

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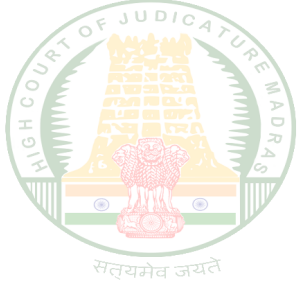
ORDER**(Order of the Court was made by S.M.Subramaniam J.)**

The present review petition has been instituted seeking review the order made in W.P. No 11339 of 2024 dated 30.07.2024.

2. Perusal of the grounds raised in the review petition would show that petitioner has made an attempt to re-adjudicate the merits, which is impermissible under Order 47 Rule 1 of CPC. The Court cannot expand the scope of review proceedings under Order 47 Rule 1 of CPC. Review proceedings are not by way of an appeal and have to be strictly confined to the scope and ambit of Order 47 Rule 1 of CPC. The principles to be adopted in a review application has been considered by the Hon'ble Supreme Court of India in the case of **Malleeswari Vs. K. Suguna And Another**¹

“15. It is axiomatic that the right of appeal cannot be assumed unless expressly conferred by the statute or the rules having the force of a statute. The review jurisdiction cannot be assumed unless it is conferred by law on the authority or the Court. Section 114 and Order 47, Rule 1 of CPC deal with the power of review of the courts. The power of review is different from appellate power and is subject to the following

¹ 2025 INSC 1080



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limitations to maintain the finality of judicial decisions:

15.1 The review proceedings are not by way of an appeal and have to be strictly confined to the scope and ambit of Order 47 Rule 1 of CPC.

15.2 Review is not to be confused with appellate powers, which may enable an appellate court to correct all manner of errors committed by the subordinate court.

15.3 In exercise of the jurisdiction under Order 47 Rule 1 of CPC, it is not permissible for an erroneous decision to be reheard and corrected. A review petition, it must be remembered, has a limited purpose and cannot be allowed to be an appeal in disguise.

15.4 The power of review can be exercised for the correction of a mistake, but not to substitute a view. Such powers can be exercised within the limits specified in the statute governing the exercise of power.

15.5 The review court does not sit in appeal over its own order. A rehearing of the matter is impermissible. It constitutes an exception to the general rule that once a judgment is signed or pronounced, it should not be altered. Hence, it is invoked only to prevent a miscarriage of justice or to correct grave and palpable errors."

3. In view of the above legal position and considering the fact that



petitioner has not established any error apparent on record warranting exercise of judicial review, the present review application deserves no merit consideration. Accordingly, the review application is dismissed. No costs. Consequently, the connected miscellaneous petitions, if any, are closed.

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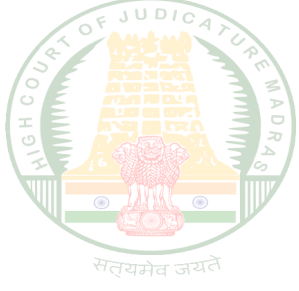
(S.M.S.,J.) (N.S.,J.)
10-06-2026

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

GD

To

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Chennai Metropolitan Development Authority
Thalamuthu Natarajan Building No 2 Gandhi
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**S.M.SUBRAMANIAM, J.
AND
N.SENTHILKUMAR, J.**

GD

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