



Review Appln.No.48 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

RESERVED ON
06.02.2026

PRONOUNCED ON
26.02.2026

CORAM
THE HONOURABLE MR. JUSTICE C.V. KARTHIKEYAN
AND
THE HONOURABLE MR. JUSTICE K.KUMARESH BABU

Review Application No.48 of 2026

in
W.A.No. 2834 of 2023

M.Ravi

... Review Applicant

Vs

1.The Secretary to Government,
Municipal Administration and Water Supply Department,
Fort St.George, Chennai – 9.

2.The Director of Town Panchayat,
Kuralagm, Chennai – 600 108.
Now at The Director of Town Panchayat,
M.R.C.Nagar Chennai – 600 028.

3.The Executive Officer,
Walajabath Town Panchayat,
Thiruvannamalai District,
Now at The Executive Officer,
Walajabath Town Panchayat,
Kancheepuram District.

...Respondents

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PRAYER:- Review Application filed under Article 226 of the Constitution of India read with Section 114 r/w Order XLVII Rule 1 of CPC against the order passed by this Court in W.A.No.2834 of 2023, dated 08.07.2024 and pass such further order.

For Petitioner : Mr.P.I.Thirumoorthy

For Respondents : Mr.M.Murali
Government Advocate

ORDER

(Order of the Court was made by Mr.K.KUMARESH BABU.,J.)

This Review Application has been filed against the order passed in W.A.No.2834 of 2023, dated 08.07.2024.

2. Heard Mr.P.I.Thirumoorthy, learned counsel appearing for the petitioner and Mr.M.Murali, learned Government Advocate appearing on behalf of the respondents.

3. The learned counsel appearing for the petitioner would contend that the petitioner who was regularised in the service had earlier approached this Court for regularisation with retrospective effect ie.,
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from the date of his initial appointment as a Tractor Driver. He would submit that even though, the Writ Petition for the said relief was rejected, in the Intra-Court Appeal the Division Bench of this Court had directed regularisation from the said date but held that he would not be entitled for any monetary benefits and could only taken for the purpose of qualifying service for the pensionary benefits.

4. He would submit that the petitioner had been engaged as a Driver in which service he had been regularised by the orders of this Court, he would also be entitled for the monetary benefits for the services rendered by him on par with the other Tractor Drivers employed by the Department. That apart, he would submit that in similar cases of persons like that of the petitioner, this Court had earlier directed regularisation with all monetary benefits. He would submit that while passing the order, the above aspects have been over-looked by the Bench which requires Review as the same amounts to an error apparent on the face of the record. Hence, he seeks indulgence of this Court in granting monetary benefits to the petitioner.

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5. Countering his arguments, the learned Government Advocate appearing on behalf of the respondent would submit that the petitioner was regularised in service in the year 2001 and that on the date of his appointment, there has been a ban for regular appointment which came to be lifted in the year 2006. But however he would submit that the Division Bench had directed regularisation with effect from 01.09.2001 i.e., from the date of his initial appointment but without monetary benefits. In granting such relief, the Division Bench had also taken into consideration that the petitioner having accepted his appointment and had joined the duty and had approached this Court only after 5 years and therefore, had not granted the monetary benefits to the petitioner. He would submit that such reasonings given by the Division Bench has to be only assailed by the petitioner before the Appellate Court and the same cannot be said to be a material error on the face of the record. Hence, he seeks dismissal of the Review.

6. We have considered the submissions made by the learned

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counsels appearing on either side and perused the materials available on record.

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7. By order dated 08.07.2024, which is sought to be reviewed, a Co-ordinate Bench of this Court of which one us was a party (KBJ) had specifically recorded that the petitioner had approached this Court after a lapse of 5 years of his order of appointment seeking for regularisation with effect from initial date of appointment together with other monetary benefits and therefore had specifically recorded that it was not inclined to accept the contention of the petitioner but however, the Co-ordinate Bench had directed regularisation without monetary benefits to enable the petitioner to count his service from the date of initial appointment ie.,01.09.2001.

8. Even though, the petitioner had alleged that the similarly placed persons have been given such benefits, no such documents have been placed before us. The petitioner having been appointed in a time scale of pay in the year 2001 cannot be said to be aggrieved for denying

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the regular pay and therefore his contention for eligibility for the full pay from the date of his regularisation as ordered by the Division Bench cannot also be entertained.

9. In the impugned order under the Review, a specific finding was given as to why the claim of the petitioner for monetary benefits had been rejected. We do not find any error apparent on the face of the record to review the said finding, to entitle the petitioner for monetary benefits.

10. For the aforesaid reasons, the Review fails and accordingly dismissed. However, there shall be no order as to costs.

(C.V.K.,J.)

(K.B., J.)

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Gba

Index : Yes/No

Speaking order : Yes/No

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**C.V. KARTHIKEYAN., J.
and
K.KUMARESH BABU.,J.**

Gba

**A Pre-delivery judgment made in
Review Application No. 48 of 2026
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