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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-06-2026

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THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

Review Application No.297 of 2025

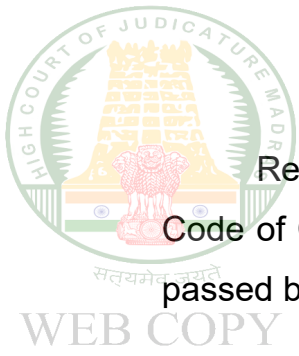
1. M.Venkatesan
Inspector of Police - L & O,
Chemmancherry Police Station,
Chennai.
Now serving as:-
Assistant Commissioner of Police,
Pattabiram, Thiruvallur District.
2. Elangovan, SSI,
Chemmancherry Police Station,
Chennai.
Now serving as:-
Sub-Inspector of Police,
Security Chennai Police, Chennai.

..Petitioners

Vs

1. The Tamil Nadu State Human Rights
Commission,
represented by its Registrar,
143, P.S.Kumarasamy Salai,
Greenways Road, Chennai 600 028.
2. The Additional Chief Secretary to Government,
Home Department, Secretariat,
Fort St. George, Chennai.
3. The Special Secretary to Government,
Public (HR) Department,
Secretariat, Chennai 600 009.
4. J.S.Mani,
S/o.N.Jayaraman

..Respondents



Review Application filed under Order 47 Rule 1 r/w Section 114 of the Code of Civil Procedure, 1908, seeking to review the order dated 21.11.2025 passed by this Court in W.P.No.11248 of 2021.

For Petitioners : M.Deivanandam
For Respondents : Dr.R.Gouri
Government Counsel [R2 & R3]

ORDER

(Made by S.M.Subramaniam J.)

The present review application has been instituted seeking review of the order passed by this Court dated 21.11.2025 in W.P.No.11248 of 2021.

2. Learned counsel for the review petitioners would mainly contend that he argued the scope of Section 16 of the Human Rights Act before the Division Bench at the time of final hearing of the writ appeal. However, there is no finding on that. Thus, the present review application has been filed.

3. Non-consideration of certain grounds or the arguments made by learned counsel *per se* would not constitute a ground to review the order. What is required is an error apparent as contemplated under Order 47 Rule 1 CPC. Grounds for appeal need not be a ground to review the order already passed. One cannot expect that all arguments made by the respective learned counsel are recorded by the Courts. Certain grounds are considered and recorded and certain grounds, which are not considered, unless constitute an



error apparent, no review is entertained. The principles for considering the review application has been elaborately considered by the Supreme Court in

the case of ***Malleeswari v. K.Suguna and another [2025 INSC 1080]***.

Paragraph No.15 of the judgment reads as under:

“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 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 [Meera Bhanja v. Nirmala Kumari Choudhury [(1995) 1 SCC 170]*
- 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 [Aribam Tuleswar Sharma v. Aribam Pishak Sharma [(1979) 4 SCC 389].*
- 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 [Parsion Devi v. Sumitri Devi [(1997) 8 SCC 715].*
- 15.4 The power of review can be exercised for the correction of a mistake, but not to substitute a view. Such power can be exercised within the limits specified in the statute governing the exercise of power [Lily Thomas v. Union of India (2000) 6 SCC 224].*
- 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 [Inderchand Jain v. Motilal [(2009) 14 SCC 663]. Hence, it is invoked only to prevent a miscarriage of justice or to correct grave and palpable errors [Shivdev Singh v. State of Punjab [AIR (1963) SC 1909].”*

4. In the present case, the petitioners have not established an error apparent on record warranting exercise of the review powers.



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**S.M.SUBRAMANIAM, J.
AND
R.SAKTHIVEL, J.**

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Accordingly, this review application is dismissed. No costs.

**(S.M.S.,J.) (R.S.V.,J.)
24-06-2026**

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

To

1. The Registrar,
Tamil Nadu State Human Rights Commission,
143, P.S.Kumarasamy Salai,
Greenways Road, Chennai 600 028.
2. The Additional Chief Secretary to Government,
Home Department, Secretariat,
Fort St. George, Chennai.
3. The Special Secretary to Government,
Public (HR) Department,
Secretariat, Chennai 600 009.

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