



Rev.Aplc(MD).No.6 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

RESERVED ON : 12.02.2026

PRONOUNCED ON : 26.02.2026

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN
and
THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

Rev.Aplc(MD).No.6 of 2026

in

W.A(MD).No.1173 of 2020
and CMP(MD).No.946 of 2026

K.Thirumalai Veluchamy

....Review Applicant/Appellant

Vs

1.The State of Tamil Nadu
Rep.by it's Principal Secretary
Finance Department
Secretariat
Chennai

2.The State of Tamil Nadu
Rep.by it's Secretary to Government
Health and Family Welfare department
Secretariat
Chennai

3.The Deputy Director of Health Services
Sankarankovil
Tirunelveli District

.....Respondents/Respondents



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Prayer: Review Application filed under Order 47 Rule 1 r/w Section 114 of CPC against the order dated 28.10.2025 made in WA(MD).No.1173 of 2020 and dismiss the writ petition.

For Appellant : Mr.M.Mohamed Zamil
For M/s.Ajmal Associates

For Respondents :Mr.F.Deepak
Special Government Pleader

ORDER

(Made by **R.VIJAYAKUMAR,J.**)

The present application has been filed seeking to review the order passed by this Court in WA(MD).No.1173 of 2020 dated 28.10.2025.

2.This Court while passing an order in the writ appeal had relied upon G.O.Ms.No.210 Personnel and Administrative Reforms (Per.S) dated 11.03.1987 and Letter No.63350/Pay Cell/2010-11 dated 08.11.2010 to arrive at a finding that the revised selection grade /special grade scale of pay should be restricted to the level of their first level and second level promotion posts respectively and it cannot exceed them.

3.This Court has also relied upon Letter No.14729/N2/2011-5 dated 11.02.2013 issued by Health and Family Welfare (F2) Department to arrive at a finding that the post of Technical Personal Assistant has been declared to be promotional post from the feeder category of Block Health Supervisor.



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4. Based upon the above said Government Orders and Letters, the Division Bench had rejected the request of the petitioner for setting aside the order of recovery. Now the review application has been filed contending that Paragraph No.2 of G.O.Ms.No.210 Personnel and Administrative Reforms (Per.S) dated 11.03.1987 has been misinterpreted by this Court and the Court should not have relied upon Government Letter dated 11.03.2013 when the same is in violation of the Service Rules.

5. The Hon'ble Supreme Court while considering the scope of review application in a judgment reported in **2025 SCC Online SC 1927 (Maileeswari Vs. K.Suguna and another)** in Paragraph Nos. 15 and 16 has held as follows:

“15.....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 C.P.C.

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 C.P.C, 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.

16.To wit, through a review application, an apparent error of fact or law is intimated to the Court, but no extra reasoning is undertaken to explain the said error. The intimation of error at the first blush enables the Court to correct apparent errors instead of the higher Court correcting such errors. At both the above stages, detailed reasoning is not warranted.”

6.The contention raised by the learned counsel for the Review Applicant would disclose that the petitioner is attempting to reargue the writ appeal. Further, he is requesting the Court to substitute another view in the place of view already taken by this Court.



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7.In view of the judgment of the Hon'ble Supreme Court, the prayer sought for by the petitioner does not fall under the scope of Section 114 of C.P.C read with Order 47 Rule 1 of C.P.C. We are not inclined to entertain the review application. The Review Application stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

(C.V.K.J.,)

(R.V.J.,)

26.02.2026.

Index :Yes/No
Internet :Yes/No
NCC : Yes/No
msa



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WEB COPY To

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R.VIJAYAKUMAR,J.**

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