

ITEM NO.38

COURT NO.16

SECTION XII

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Miscellaneous Application No. 548-549/2018 in C.A. No. 5924/2005

(Arising out of impugned final judgment and order dated 16-12-2017 in C.A. No. No. 5924/2005 16-12-2017 in C.A. No. No. 5925/2005 passed by the Supreme Court Of India)

K.S. PALANISAMY (DEAD) THROUGH LRS

Petitioner(s)

VERSUS

HINDU COMMUNITY IN GENERAL AND CITIZENS OF GOBICHETTIPALAYAM
REPRESENTED BY SENNIAPPA CHETTIAR & ORS. Respondent(s)

IA No. 30579/2018 - APPEAL AGAINST REGISTRARS ORDER XV RULE 5
IA No. 118535/2021 - APPLICATION FOR SUBSTITUTION
IA No. 143480/2021 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 30581/2018 - CONDONATION OF DELAY IN FILING
IA No. 30582/2018 - EXEMPTION FROM FILING O.T.
IA No. 150875/2021 - INTERVENTION/IMPLEADMENT
IA No. 143424/2021 - INTERVENTION/IMPLEADMENT)

WITH Diary No(s). 30634/2021 (XII)
(FOR PERMISSION TO FILE PETITION (SLP/TP/WP/..) ON IA 33440/2022
FOR CONDONATION OF DELAY IN FILING ON IA 33443/2022
FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA
33444/2022
FOR EXEMPTION FROM FILING O.T. ON IA 33446/2022
FOR APPLICATION FOR SUBSTITUTION ON IA 33447/2022
FOR CONDONATION OF DELAY IN FILING SUBSTITUTION APPLN. ON IA
33448/2022
FOR SETTING ASIDE AN ABATEMENT ON IA 33449/2022
FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA
37291/2022
FOR EXEMPTION FROM FILING O.T. ON IA 37294/2022
FOR CLARIFICATION/DIRECTION ON IA 37300/2022
FOR EXEMPTION FROM FILING O.T. ON IA 37302/2022
FOR APPLICATION FOR PERMISSION ON IA 37308/2022
FOR EXEMPTION FROM FILING O.T. ON IA 37310/2022
FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA
140104/2022

Date : 12-09-2023 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE C.T. RAVIKUMAR
HON'BLE MR. JUSTICE SANJAY KUMAR

For Petitioner(s) Ms. Shobha Ramamoorthy, AOR
 Mr. Shilp Vinod, Adv.
 Mr. M. A. Karthik, Adv.
 Ms. Vincy George, Adv.
 Mr. Gokulakrishnan, Adv.

Mr. S. Rajappa, AOR
 Mr. V Prabhakar, Adv.
 Mr. R. Shase, Adv.
 Ms. Jyoti Parashar, Adv.
 Mr. Nj Ramchandar, Adv.
 Mr. R Gowrishankar, Adv.

For Respondent(s) Mr. R. N. Keswani, AOR
 Mr. Pranav Singhal, Adv.
 Mr. Ravi Raghunath Vachher, Adv.
 Mr. Ramesh N. Keswani, Adv.

Mr. M. Yogesh Kanna, AOR

Mr. D.Kumanan, AOR
 Mr. Sheikh F Kalia, Adv.
 Mrs. Deepa. S, Adv.

Mr. R. Ayyam Perumal, AOR
 Mr. A. Renganath, Adv.

Mrs. Revathy Raghavan, AOR

Mr. Vikas Mehta, AOR
 Mr. Adith Nair, Adv.

UPON hearing the counsel the Court made the following
 O R D E R

Having given our anxious consideration to the arguments advanced and the averments made in the Miscellaneous Application, we are of the considered view that this application is nothing but an application for review in disguise styled as an application for clarification of the judgment dated 9th March, 2017. In this context, it is relevant to refer to the decision in Delhi Administration vs. Gurdip Singh Uban reported in (2000) 7 SCC 296, wherein this Court held that the Courts should not permit hearing of such an applications for 'clarification', 'modification' or 'recall' if the application is in substance a clever move for review.

In that view of the matter, we are not inclined to allow the prayers made in the Miscellaneous Application. Consequently, it stands dismissed.

Pending application(s), if any, stands disposed of.

Diary No(s). 30634/2021

Taking note of the delay of more than 14 years, to be precise 5358 days, we are of the view that leave to file special leave petition against the judgment of the High Court of Judicature at Madras dated 07.04.2005 in A.S. No.851 of 1989, has to be rejected on the ground of delay. Consequently, it stands dismissed.

(DR. NAVEEN RAWAL)
ASTT. REGISTRAR-cum-PS

(MATHEW ABRAHAM)
COURT MASTER (NSH)