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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.11.2017

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THE HONOURABLE MR. JUSTICE M.M. SUNDRESH

REV.APLW(MD) NO.65 OF 2017

IN

WP.(MD).15836 OF 2013

The General Manager,
Tamil Nadu State Transport Corporation
(Madurai) Limited,
Madurai Road,
Virudhunagar.

... Petitioner
Vs

1.The Special Deputy Commissioner of Labour,
O/O. Commissioner of Labour,
Chennai-600 006.

2.G.Panneerselvam ... Respondents

PRAYER: Application filed under Order XLVII Rule 1 and 2 read with Section 114 of CPC to review the order dated 23.01.2014 passed in W.P.(MD).15836 of 2013 on the file of this Court by allowing this Review Application and to grant such other relief.

Prayer in WP(MD). 15836/ 2013 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, calling for the records of the 1st respondent in his proceedings in Approval Petition No.108/2012 dated 22.4.2013, quash the same.

For Petitioner : Mr.A.Jeyaram

For Respondents : Mr.G.M.Xavier for R2

ORDER

This Review Application has been filed by the petitioner seeking to review the order dated 23.01.2014 on the ground that the reinstatement has been made without prejudice to the contentions in the Writ Petition. Incidentally, it has also been submitted that the counsel for the petitioner has instructed the learned Government Advocate, who appeared for the 1st respondent to represent him and therefore, by mistake, the order has been passed, as if there is no appearance.



2. Considering the above and in the absence of any counter affidavit or contra material, this Court is inclined to set aside the order dated 23.01.2014, so as to enable the petitioner to get an adjudication on merits.

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Accordingly, the order dated 23.01.2014 stands set aside and the Writ Petition is restored on file. All the issues are left open.

Sd/-

Assistant Registrar(CS-III)

/True copy/

Sub Assistant Registrar

To

The Special Deputy Commissioner of Labour,
O/O. Commissioner of Labour,
Chennai-600 006.

Copy to : The Section Officer, Writ Section Posting,
Madurai Bench of Madras High Court, Madurai.
(To restore on file in W.P)

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mps

KK/GT/SAR 1/08.12.2017/ 2P- 3C/