



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.1.2018

CORAM

THE HONOURABLE MR.JUSTICE HULUVADI G.RAMESH
AND
THE HONOURABLE MR.JUSTICE RMT.TEEKAA RAMAN

Rev.Appl.No.23 of 2018
and
C.M.P.No.2488 of 2018

S.Thilagavathi

Petitioner

Versus

1. The State of Tamil Nadu,
rep. by its Secretary to Government,
Labour and Employment Department,
Fort St. George, Chennai 600 009.

2. The Secretary,
Tamil Nadu Labour Welfare Board,
D.M.S.Compound, Teynampet,
Chennai 600 006.

3. G.Janakiraman

Respondents

Prayer: Review Application filed under Order 47 Rule 1 r/w
Section 114 CPC seeking to review the judgment dated 14.3.2007
made in W.A.No.621 of 1998 on the file of this court.

W.A.No.621 of 1998:-

Writ appeal against the Judgment dated 19.01.1998 in
WP.No.4318 of 1997 filed under Article 226 of the Constitution
of India, to issue a Writ of certiorarified mandamus to calling
for the records of the Second Respondent relating to this order
bearing No.E3/18852/97 dated 30.05.1997 quash the same and
directing the Second Respondent to restore the petitioner to the
same position that she was in prior to her discharge from
service on 29.09.1993 with effect from 29.09.1993 with back
wages and all consequential benefits and to post her in Trichy.

For petitioner/appellant : Mr.N.G.R.Prasad

for Mr.R.Rajaram

For R1 : Mr.P.S.Sivashanmugasundaram,
Special Government Pleader

For R2 : Mr.Anandagopalan for
M/s.T.S.Gopalan & co



ORDER

(Order of the court was made by HULUVADI G.RAMESH, J.)

Heard the learned counsel appearing for the parties for some time.

2. It appears that the petitioner herein had originally filed two writ petitions with separate reliefs, viz., W.P.No.4318 of 1997 for a direction to restore her position in service and W.P.No.9110 of 1997 for quashing the order impugned therein, however, both ended in dismissal before the learned Single Judge. The writ appeals filed challenging the same, as rightly pointed out by the learned counsel appearing for the petitioner, had been dismissed merely by referring to the observation made by the learned Single Judge to the request made by the petitioner herein to join duty at the place to which she had been transferred, without going into the merits of the case with regard to the claim of the petitioner in W.P.No.4318 of 1997 viz., restoration of her position in service. As a consequence, the petitioner had been directed by the Apex Court to prefer a review petition, while disposing of Civil Appeal No.3991 of 2011 on 6.5.2011 and hence, the present review application has been filed.

3. On perusal of the judgment of the Division Bench of this court, we also do not find any reasoning with regard to the claim of the petitioner in W.P.No.4318 of 1997 for dismissing the writ appeals. Therefore, the review application is allowed. The writ appeal No.621 of 1998, insofar as it challenges the order passed in W.P.No.4318 of 1997, is restored to file. No costs. The connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

ssk.

To

1. The Secretary to Government,
The State of Tamil Nadu,
Labour and Employment Department,
Fort St. George, Chennai 600 009.



2. The Secretary,
Tamil Nadu Labour Welfare Board,
D.M.S.Compound, Teynampet,
Chennai 600 006.

WEB COPY

3. The Chief Posting Clerk,
Judicial Department,
High Court, Chennai-104

+1cc to Mr.R.Rajaram, Advocate, S.R.No.2903

Rev.Appl.No.23 of 2018

NRJK (CO)
CS/22/02/18