



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Wednesday, the Twenty Second day of January Two Thousand and Twenty

PRESENT

The Hon'ble Mr. Justice K.RAVICHANDRABAABU
AND

The Hon'ble Mr Justice SENTHILKUMAR RAMAMOORTHY

CMP(MD). Nos.9398 and 9399 of 2019
in

WA(MD).Nos.1162 and 1161 of 2018

The Management,
M/s. Sri Lakshmi Spinners (P) Ltd.,
No. 1/352 Madurai Road, Virudhunagar District.
...Petitioner/Appellant in both cases

Vs

M.Sankarapandi
...Respondent/Respondent in CMP(MD). No.9398 of 2019 in
WA(MD).No.1162 of 2018

Solaiappan (Died)
1 S.Palaniammal
2 R.Rajalakshmi
3 S.Sivaperumal
...Respondent/Respondent in CMP(MD). No.9399 of 2019 in
WA(MD).No.1161 of 2018

Common Prayer in CMP(MD). Nos.9398 and 9399 of 2019 :-

Civil Miscellaneous Petitions are filed under section 151 of Civil Procedure Code, praying this Hon'ble Court to make necessary correction in the order dated 19.08.2019 passed in W.A. (MD) Nos. 1161 and 1162 of 2018 by changing the captions found as W.P(MD) NO. 1161 of 2018 and W.P. (MD) No. 1162 of 2018 in para 5 as W.A (MD) No. 1161 of 2018 and W.A. (MD) No. 1162 of 2018 respectively and also the words Solaiappan (Died) mentioned in para 5 under caption W.P.(MD) No. 1162 of 2018 as M. Sankarapandi.

Common Prayer in WA(MD).Nos.1162 and 1161 of 2018 :

Writ Appeals are file under clause 15 of the Letter Patent Act, praying this Hon'ble Court to set aside the common order dated 28.02.2018 made in W.P.Nos.14790 and 14791 of 2017.

Common Prayer in WP(MD).Nos.14791 and 14790 of 2017 :

Writ Petitions are filed under Article 226 of the Constitution of India, praying this Court to issue a writ of
<https://hcservices.court.gov.in/hcservices> petition particularly in the nature of writ, calling for



the records particularly in the nature of writ, calling for the records pertaining to the impugned order passed by the Labour court, Madurai in claim petition No.17 and 18 of 2013, dated 09.12.2016 and quash the same respectively.

ORDER:-

Civil Miscellaneous Petitions are coming on for hearing on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.R.Subramanian, Advocate for the Petitioner (in Both cases), this Court made the following order:

This petition are filed to make necessary correction in the order dated 19.08.2019 passed in W.A.(MD) Nos.1161 and 1162 of 2018, by changing the captions found as W.P.(MD) No.1161 of 2018 and W.P.(MD) No.1162 of 2018 in para 5 as W.A.(MD) No.1161 of 2018 and W.A.(MD) No.1162 of 2018 respectively and also the words "Solaiappan (Died)" mentioned in para 5 under caption W.P.(MD) No.1162 of 2018 as "M.Sankarapandi".

2. Insofar as the first correction is concerned, considering the reasons stated in the affidavits filed in support of these petitions, the petitions are ordered.

3. Insofar as the Second correction is concerned, it is stated in the accompanying affidavit filed along with this miscellaneous petition that a mistake has crept in the Memo dated 19th August 2018 filed by the appellant in W.A.(MD) No.1162 of 2018. It is stated that when the respondent is M.Sankarapandi, it was wrongly stated in the Memo, as though the respondent is one Solaippan (Died). It is stated that the above typographical mistake has resulted in recording the above said Memo and passing the common order passed in W.A(MD) Nos.1161 and 1162 of 2018 dated 19.08.2019.

4. The abovesaid statement is recorded and thus, the order passed in W.A(MD) Nos.1161 and 1162 of 2018 dated 19.08.2019 based on the Memo filed dated 19.08.2019 shall be read as referable to the respondent therein viz., "M.Sankarapandi" and not "Solaiappan (Died)" as mentioned in the said Memo.

Registry is directed to issue this order copy along with the original order.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)



TO

The Presiding Officer,
Labour Court, Madurai.

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+2cc to Mr.R.Subramanian, Advocate, SR No.2527

SDS (12.02.2020) 3P-4C