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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 02.12.2021

CORAM:

THE HON'BLE MR. JUSTICE M.DURAI SWAMY
AND
THE HON'BLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

REVIEW APPLICATION NO.194 OF 2021
AGAINST W.A.NO.1679 OF 2013

The Liquidator cum Assistant Director
of Industries and Commerce,
Tamil Nadu State Industries Co.op. Bank Ltd.,
Thalamuthu Natarajan Maaligai,
Dr.Irwin Salai, Egmore,
Chennai - 600 008

...Review Applicant

Vs.

1.V.Kalyanasundaram

2.A.S.Beeman

3.J.Sarojini

4.R.Ravi

5.The District Collector,
Nilgiris District.

6.The Tahsildar,
Kothagiri Taluk - 643 217.

7.Department of Industries and Commerce,
rep by its Additional Director,
Chepauk, Chennai - 600 005.

8.Assistant Commissioner of Labour,
(Controlling Authority under Payment of
Gratuity Act, 1972),
Dr.Balasundaram Road,
Coimbatore - 641 018.

...Respondents

Prayer : Review Application filed under Order 47 Rule 1 read with Section 114 of the Code of Civil Procedure against the order dated 04.08.2014 made in W.A.No.1679 of 2013.



Prayer in W.A.No.1679 of 2013 : Writ Appeal filed under Clause 15 of the Letters Patent Act against the order dated 12.03.2013 made in W.P.No.16817 of 2012.

Prayer in W.P.No.16817 of 2012 : Writ Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus, Directing the first and second respondents to recover the Gratuity Amount of Rs.4,69,041/- from the 3rd and 4th respondent together with interest accrued till the actual date of disbursement to the petitioners as prescribed under Section 7 & 8 of the PGA 1972 from the date amount became due in terms of the Revenue Recovery Certificate dated 19.9.2007 issued by the Assistant Commissioner of Labour, Coimbatore, Controlling Authority under the Payment of Gratuity Act 1972, deposit the said amount with the 5th respondent to enable him to disburse those amounts in proportion to the petitioners

For Review Applicant : Mr.R.Neelakandan,
Additional Advocate General
assisted by
M/s.Geetha Tamarai Selvan,
Special Government Pleader

For Respondents : Mr.K.M.Ramesh (R1 to R4)

O R D E R

(Order of the Court was made by M.DURAI SWAMY, J.)

The 3rd respondent in the Writ Appeal in W.A.No.1679 of 2013 has filed the above Review Application to review the judgment dated 04.08.2014.

2.Mr.R.Neelakandan, learned Additional Advocate General appearing for the Review Applicant submitted that instead of going into the merits of the Review Application, it would be suffice to clarify that the judgment made in W.A.No.1679 of 2013 is confined only to the appellants.

3.Mr.K.M.Ramesh, learned counsel appearing for the respondents 1 to 4 has no objection for giving such clarification in the Review Application.

4.In view of the submissions made by the learned counsel on either side, we clarify that the judgment dated 04.08.2014 made in W.A.No.1679 of 2013 is confined only to the appellants.



5. With this clarification, the Review Application is disposed of. No costs.

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Sd/-
Assistant Registrar (CCC)

// True Copy //

Sub Assistant Registrar

va

To

1. The Liquidator cum Assistant Director of
Industries and Commerce,
Tamil Nadu State Industries Co.Op. Bank Ltd.,
Thalamuthu Natarajan Maaligai, Dr. Irwin Salai,
Egmore, Chennai - 600 008.
2. The District Collector,
Nilgiris District.
3. The Tahsildar
Kothagiri Taluk,
4. Department of Industries and Commerce,
rep. by its Additional Director,
Chepauk, Chennai - 600 005.
5. Assistant Commissioner of Labour
(Controlling Authority under payment of Gratuity Act, 1972)
Dr. Balasundaram Road,
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Review Application No. 194 of 2021
against W.A. No. 1679 of 2013

SSV (CO)
RVM (10/12/2021)