

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.07.2021

CORAM :

THE HON'BLE MR.JUSTICE N.KIRUBAKARAN

Rev.Aplw.No.150 of 2014
in
W.P.No.8143 of 2003

The Management of
M/s Fenner (India) Ltd.,
Textile Division,
19/2AB Junction,
Main Road,
Salem 636 004.
Rep. By its Vice President

... Applicant

Vs

1.The Presiding Officer,
Labour Court,
Salem.

2.S.Matheswaran

3.M/s.Ideal Spinning Mills Ltd.,
Ideal Garden Complex,
R/54, Junction Main Road,
Five Roads,
Salem 636 004.

... Respondents

PRAYER : Review Application filed under Order 47 Rule 1 read with Section 114 of Civil Procedure Code praying to review the order dated 04.12.2009 in W.P.No.8143 of 2003.

For Petitioner : Mr.Anand for
M/s.T.S.Gopalan & Co.
For Respondents : Mrs.Anra Mathew for R2.

ORDER

The matter has been heard through "Video Conference".

2.The Writ Petitioner has come before this Court by way of this Review Application to review the order passed by this Court dated 04.12.2009 in W.P.No.8143 of 2003 in which, this Court, based on the representation of the Learned Counsel for the Review Applicant at the time of disposal of Writ Petition observed that the Second Respondent had not chosen to challenge the award passed by the Labour Court, whereas the Second Respondent already filed a Writ Petition in W.P.No.32855 of 2004 challenging the award and the same is pending and the wrong fact has to be corrected.

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3.The Learned Counsel for the Review Applicant submits that by inadvertent mistake, wrong fact was made at the time of disposal of Writ Petition and that has been recorded by this Court and thereby, dismissed the Writ Petition. Further, this Court also recorded that the

Review Applicant accepted the award to implement the same. Hence, he seeks to review the order passed by this Court dated 04.12.2009.

4.Heard Mr.Anand, Learned Counsel for the Petitioner and Mrs.Anra Mathew, Learned Counsel for the Second Respondent.

5.Since by inadvertent mistake a wrong representation was made that there was no Writ Petition filed by the Second Respondent which was recorded by this Court in the order dated 04.12.2009, this Review Application has been filed and the same is liable to be allowed.

6.Accordingly, this Review Application is allowed and the order dated 04.12.2009 is recalled and the Writ Petition in W.P.No.8143 of 2003 is restored. No costs. Registry is directed to post the W.P.No.8143 of 2003 along with W.P.No.32855 of 2004 for disposal.

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13.07.2021

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Index: Yes/No

Internet: Yes/No

N.KIRUBAKARAN, J.

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To

The Presiding Officer,
Labour Court,
Salem.



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