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Rev.Aplc.No.56 of 2023

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 21.04.2023**

**CORAM:**

**THE HON'BLE MRS. JUSTICE J. NISHA BANU**

**Rev.Apln.No.56 of 2023**  
**in W.P.No.18007 of 2014**

The Management,  
M/s M.S.Builders  
Aslam,  
Son of Inayathullah, Mulla Street,  
Khaderpet,  
Vaniyambadi, Vellore District.

...Petitioner/Petitioner

**Vs.**

1) S.Lurthu

2) The Presiding Officer,  
The Principal Labour Court,  
Vellore.

...Respondents/Respondents

**PRAYER:** Review Application filed under Order XLVII Rule 1 & 2, read with Section 114 of Civil Procedure Code, to review the order passed in W.P.No.18007 of 2014 dated 21.02.2023.

For Review Petitioner: Mr.M.Premkumar

For Respondents : Mr.S.T.Varadarajulu

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**ORDER**



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The present review application has been filed praying to review the order passed in W.P.No.18007 of 2014, dated 21.02.2023,

2. The review applicant/writ petitioner has taken grounds that notice is not served upon the employer-review applicant in the proceedings before the Labour Court and that there is no employer-employee relationship between them and not even a single document filed to assert the fact that the employee had been paid salary by the review applicant and as such the entire claim made by the 1<sup>st</sup> respondent-employee is onerous.

3. The grounds raised by the review applicant is nothing but praying to re-open the findings recorded in the order dated 21.02.2023 under review. The review is not an appeal in disguise. In the considered view of this court, there is no error apparent on the face of the record warranting review of order dated 21.02.2023. If the Review applicant/writ petitioner is aggrieved, he can file appeal and work out the remedy in the manner known to law. This court in exercise of review jurisdiction, without sufficient and just reasons, cannot review its own judgment/order.



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4. The learned counsel for the review petitioner requested this Court to exclude the period of time spent in filing this review application for the purpose of computing under the limitation period, while filing an appeal.

5. Considering the submission made by the learned counsel for the review applicant, this Review Application is dismissed with observation that the period spent in filing this review application need not be counted for the purpose of limitation in the event of the review applicant filing an appeal before the appropriate forum. No costs.

21.04.2023

Index : Yes / No  
Internet : Yes / No  
Neutral Citation : Yes / No  
Speaking Order / Non-Speaking Order

sts/nvsri

To:

- 1) The Principal Secretary to the Government,  
Medical and Family Welfare (A1) Department,  
Secretariat, Chennai 600 009
- 2) The Director of Medical Education,  
Directorate of Medical Education,  
Medical and Family Welfare Department, Chennai 600 010



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**J. NISHA BANU, J.,**

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