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W.M.P.No.31567 of 2023
in
W.P.No.11882 of 2017

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W.P.No.11882 of 2017

M.DHANDAPANI, J.

This Writ Miscellaneous Petition has been filed seeking to clarify the order dated 10.08.2023 passed by this Court in W.P.No.11882 of 2017 regarding the status of the petitioner re-employment.

2. The learned counsel appearing for the petitioner submitted that, this Court, vide order dated 10.08.2023 allowed the main Writ Petition based on the settlement arrived between the parties and directed the respondents 1 and 2 to appoint the petitioner as a fresh appointee, upon receipt of appropriate application from the petitioner. The major grievance of the petitioner is that, in compliance of the above said order, though the petitioner made application on 23.08.2023, however, the respondent management appointed the petitioner only as a 'Trainee'.

3. A perusal of the order of this Court dated 10.08.2023, reveals that this Court had specifically directed the respondent management to



W.M.P.No.31567 of 2023
in
W.P.No.11882 of 2017

WEB COPY

issue fresh appointment to the petitioner, however, the petitioner was once again appointed as a Trainee, which is clearly not the intent of the order.

4. Hence, the Paragraph No.5 of the order dated 10.08.2023 is clarified as follows :

“5. In view of the settlement arrived between the parties, the award passed by the Labour Court in I.D.No.1 of 2014 is set aside and this Writ Petition is allowed. The petitioner is directed to file appropriate application within a period of one week from the date of receipt of a copy of this order. Upon receipt of said application, the 1st and 2nd respondents are directed to issue fresh appointment order to the petitioner appointing him as a regular employee, within a period of four weeks from the date of receipt of a copy of this order. The past services of the petitioner would not stand attracted for any purposes. There shall be no order as to costs.”



WEB COPY



W.M.P.No.31567 of 2023
in
W.P.No.11882 of 2017

5. With the above clarifications, this writ miscellaneous petitions is clarified. Registry is directed to issue a fresh order copy after making necessary corrections. In other respects, the earlier order dated 08.03.2023 shall remain unaltered.

20.12.2023

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W.M.P.No.31567 of 2023
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W.M.P.No.31567 of 2023
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W.P.No.11882 of 2017

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