



**Rev.Aplc (MD) Nos.81 & 82 of 2019**

**WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 20.06.2023**

**CORAM:**

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN  
and  
THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR**

**Rev.Aplc (MD) Nos.81 & 82 of 2019**

**and**

**C.M.P.(MD) Nos.3457 & 3458 of 2019**

**Rev.Aplc (MD) No.81 of 2019:**

The Management of  
Tamilnadu State Transport Corporation  
(Madurai) Limited, Madurai Division  
Bye Pass Road, Madurai

... Petitioner

-vs-

1.The Labour Inspector  
Ellis Nagar  
Madurai-625 016

2.S.Senthil

... Respondents

**PRAYER:** Review Application filed under Order XLVII, Rules 1 & 2 read with Section 114 of the Code of Civil Procedure, against the judgment dated 24.10.2018 made in W.A.(MD) No.1455 of 2018.

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**Rev.Aplc (MD) Nos.81 & 82 of 2019**

For Petitioner : Mr.J.Senthil Kumaraiah

For Respondents : Mr.S.P.Maharajan  
Special Government Pleader for R1  
Mr.A.Mu.Sharavanan for R2

**Rev.Aplc (MD) No.82 of 2019:**

The Management of  
Tamilnadu State Transport Corporation  
(Madurai) Limited, Madurai Division  
Bye Pass Road, Madurai

... Petitioner

-vs-

1.The Labour Inspector  
Ellis Nagar  
Madurai-625 016

2.S.Selvaganapathy

... Respondents

**PRAYER:** Review Application filed under Order XLVII, Rules 1 & 2 read with Section 114 of the Code of Civil Procedure, against the judgment dated 24.10.2018 made in W.A.(MD) No.1456 of 2018.

For Petitioner : Mr.J.Senthil Kumaraiah

For Respondents : Mr.S.P.Maharajan  
Special Government Pleader for R1  
Mr.A.Mu.Sharavanan for R2

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**COMMON ORDER**

**[Order of the Court was made by R.SUBRAMANIAN, J.]**

Review is sought for solely on the ground that there is a 12(3) settlement between the Union and the Management, which enables the Management to have different class of employees and confer permanent status to only one class and not the other. We are afraid that such a 12(3) settlement is binding on the employees, since it amounts to the employees waiving their statutory rights. Moreover, both the Writ Court as well as the Division Bench have concluded that the employees have worked for 480 days in two consecutive calendar years and the said factual issue has also not been disputed. Hence, we find no reason to entertain these review applications and the same are, therefore, dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

**[R.S.M., J.]**

**[N.S.K., J.]**

**20.06.2023**

NCC : Yes / No  
Index : Yes / No  
Internet : Yes / No

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To:  
The Labour Inspector,  
Ellis Nagar,  
Madurai-625 016.



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**Rev.Applc (MD) Nos.81 & 82 of 2019**

**R.SUBRAMANIAN, J.**  
**and**  
**N.SATHISH KUMAR, J.**

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**20.06.2023**